

**SECTION 610 - MEMBERSHIP DUES AND FEES** - The payment of annual National membership dues entitles all members in good standing an automatic subscription to the Marine Corps League publication, and enrollment privileges in any National Group Insurance Programs that may be in effect.

(a) The National annual per capita dues and fees shall be recommended by the Budget and Finance Committee at the Mid-Winter National Staff Meeting and require approval by the delegates at the National Conventions, provided that the general membership has been advised, in writing, of the proposed dues amount not less than sixty (60) days prior to the convening of the convention. An announcement in the **Marine Corps League Magazine, Summer issue**, will suffice as written notification.

(b) An initiation fee shall be recommended by the Budget and Finance Committee. The initiation fee shall be as is approved by the delegates at the National Convention. The fee shall be collected for each new member in addition to the annual National dues. Each new member shall be provided an official membership lapel button which shall be provided by National Headquarters.

(c) All of the National membership dues and fees which are due National Headquarters are in addition to the dues of a Detachment and a Department which are authorized under the provisions of the Administrative Procedures, Chapter Five, Section 520 and Chapter Six, Section 615.

(d) The Membership year and the annual dues shall expire on the last day of the anniversary month of such member's original dues having been received at National Headquarters.

**SECTION 615 - GOOD STANDING** - All members shall be considered in good standing in the Marine Corps League,

(a) Except when:

(1) Required dues are not paid, and transmitted, on or before membership expiration date as is shown on the member's card.

(2) A member is indebted or in arrears to the member's Detachment, Department, or to National Headquarters.

(3) Under suspension as punishment upon the adjudication of guilt as is provided in Chapter Nine, Section 910 of the Administrative Procedures.

(b) In all cases involving the transfer of a member of a Detachment, the losing Detachment approving of the transfer shall certify in writing if the transferring member is in good standing. (See Enclosure Seven (7) Administrative Procedures).

**SECTION 620 - DELINQUENT MEMBER** - A member shall be identified as delinquent whenever the member's dues are not paid and transmitted on or before membership expiration date as shown on member's card.

(a) Such member shall be retained in the delinquent status for a maximum one year, during which time the member may erase this status by making payment of all dues in arrears and all dues current and provided that the member is not indebted to the member's Detachment, Department, or to National Headquarters.

**CH 18-12** (b) Should the affected member remain in the delinquent status in excess of one year, such member shall be dropped from all membership rolls. The member may be restored to "good standing" status through the processing of a standard application form as a renewing member and forward the applicable renewal fee as currently established. Initiation fees are no longer applicable to delinquent members. A member who is delinquent and wishes to retain the "continued membership status" shall do so by submitting the standard application form which shall be accompanied by ALL past dues which have accumulated during the entire period of the applicant's delinquent status.

(c) No delinquent member may be transferred.

**CH 20-14 SECTION 625 - INELIGIBLE MEMBER**

**CH 2-96** (a) If there is reason to believe a member of the Marine Corps League does not meet the qualifications to be a member, this (these) reason(s) must be submitted in writing, to the Detachment Commandant who will require the Detachment Judge Advocate to investigate the charge as presented.

(b) If the Detachment Judge Advocate determines that the member does not have the necessary qualifications to be a member, the Detachment Judge Advocate will present a written report of his/her investigation with a draft of a disciplinary charge to the members of the Detachment. Any member of the Detachment may make a motion for disposition of the proposed disciplinary charge. If a motion to file a charge with the Department Judge Advocate is adopted, the Detachment Judge Advocate will file the charge in accordance with NAP Section 900 (g).

(c) If the person to be investigated is the Detachment Commandant, the request will be given to the Detachment Senior Vice Commandant.

(d) If the person to be investigated is the Detachment Judge Advocate, the Detachment Commandant will appoint a Past Detachment Commandant to hold the investigation.

**SECTION 630 - RIGHTS OF MEMBERS** - No member shall be deprived of any rights and privileges in the Marine Corps League except for non-payment of dues or other

GAIE/ED\*.333 = DPTS

GAIE/ED\*.333 = DETS

(NOTE: + for addition, - for subtraction, \* for multiplication, / for division)

**CH 10-04 SECTION 646 - CERTIFICATION OF LIFE MEMBERS** – Each Detachment will annually

**CH 1-95** audit its participating Life Members as shown on the Quarterly Member Listing of 30

June each year. Following the audit, the Detachment will annotate a copy of the Quarterly Member Listing with appropriate remarks to show additions, deletions and other adjustments. Each adjustment will include the reason, and whenever possible, will cite supporting documentation (i.e. Dues Transmittals, Transfer Forms, etc.) to assist in correcting the records in National Headquarters. The annotated Listing will be certified to be correct as annotated by the Detachment Commandant and the Detachment Adjutant/Paymaster (or Paymaster), and will be returned to the National Adjutant/Paymaster at National Headquarters through the Department no later than 31 December following its receipt. No funds from the interest on the Life Member Fund will be distributed to a detachment until the certified listing is received at National Headquarters. Should a Detachment fail to submit the annual Eligible Life Member Audit by 31 December of a given year, that Detachment's quota of the interest distribution shall remain in the blocked fund.

**CH 9-03 SECTION 650 - DUAL MEMBERSHIP** – (membership in more than one Detachment by the same individual). When a member of the Marine Corps League becomes a regular member in good standing in more than one detachment, such membership in the subsequent detachments shall be counted for voting strength at department and national conventions only as an associate member. Such regular member shall be a regular voting member in the detachment of such member's greatest tenure unless he/she makes a signed written request for transfer of voting rights to the receiving detachment, which upon acceptance shall forward the copies of the transfer of voting rights to National Headquarters via the jurisdictional Department Paymaster or Adjutant/Paymaster, if a department exists. The Transfer Form, Enclosure Seven, will be utilized for the purpose of transfer of voting rights to another detachment.

**CH 20-14 SECTION 651 - RESIGNATION** –

(a) The member will submit his/her resignation from the Marine Corps League to the National Commandant via the Department Commandant and the Division National Vice Commandant with a copy to the Detachment Commandant. In the event that the member has pending Chapter Nine charges against him/her, the member must resign "with prejudice".

(b) After consultation with the Detachment Commandant, the Department Commandant will forward the resignation to the National Commandant via the Division National Vice Commandant within fourteen (14) calendar days, stating:

(1) The circumstances of the resignation; and

(2) His/her recommendations, if any.

(c) The Division National Vice Commandant will forward the resignation to the National Commandant within fourteen (14) calendar days with comments if any.

(d) The National Commandant will:

(1) Accept the resignation and direct the National Adjutant/Paymaster to remove the member from the rolls. He/she will then forward the original resignation to the National Executive Director.

OR

(2) Determine alternate administrative action.

(e) If directed by the National Commandant, the National Adjutant/Paymaster will remove the member from the rolls and notify the member by USPS mail that his/her name has been removed from the rolls effective retroactively do the date of the resignation letter, with an e-mail copy to the Division National Vice Commandant and the Department Commandant who will inform the Detachment Commandant.

(f) The member forfeits his/her life membership by resigning. The money paid for the life membership and any remaining "regular membership" dues is not refundable.

(g) Unless the resignation was "with prejudice" – to rejoin the Marine Corps League the member must apply as a new member to a detachment of his/her choice.

**BYLAWS**  
**INDEX**

	<b><u>SECTION</u></b>	<b><u>PAGE</u></b>
DUAL MEMBERSHIP	650	6-11
GOOD STANDING	615	6-5
INELIGIBLE MEMBER	625	6-6
RESIGNATION	651	6-11
LIFE MEMBERS	645	6-8
CERTIFICATION OF LIFE MEMBERS	646	6-11
MEMBERS-AT-LARGE	640	6-7
MEMBERSHIP APPLICATION	605	6-3
MEMBERSHIP DUES AND FEES	610	6-5
MEMBERSHIP ELIGIBILITY	600	6-1
ASSOCIATE MEMBER	600(b)	6-1
CORPORATE MEMBER	600(d)	6-2
HONORARY MEMBER	600(c)	6-2
REGULAR MEMBERSHIP	600(a)	6-1
RIGHTS OF MEMBERS	630	6-6
MEMBERSHIP LISTINGS	825	8-3
RIGHTS OF APPEAL	635	6-6
STAFF, NATIONAL		
COMPOSITION	300	3-1
DUTIES – STAFF OFFICERS	310	3-1
NATIONAL EXECUTIVE DIRECTOR	310(a)	3-1
NATIONAL ADJUTANT/PAYMASTER	310(b)	3-3
NATIONAL COMPTROLLER	310(c)	3-4
NATIONAL AUDITOR	310(d)	3-5
NATIONAL CHAPLAIN	310(e)	3-5
NATIONAL DIRECTOR OF CONVENTIONS	310(f)	3-6
NATIONAL CHIEF OF STAFF	310(g)	3-6
NATIONAL EDITOR, MARINE CORPS LEAGUE PUBLICATION	310(h)	3-6
NATIONAL DIRECTOR OF VETERANS SERVICE	310(i)	3-6
NATIONAL DIRECTOR FOR YOUTH ACTIVITIES	310(j)	3-7
NATIONAL AIDES-DE-CAMP	310(k)	3-7
NATIONAL HISTORIAN	310(l)	3-8
NATIONAL SERGEANT-AT-ARMS	310(m)	3-8
NATIONAL DIRECTOR OF PUBLIC RELATIONS	310(n)	3-8
NATIONAL LIAISON OFFICERS	310(o)	3-8
NATIONAL LEGISLATIVE OFFICER	310(p)	3-8
NATIONAL V A V S REPRESENTATIVE	310(q)	3-9
NATIONAL MERCHANDISE MANAGER	310(r)	3-9
POWERS	305	3-1

**BYLAWS**  
**INDEX**

	<b><u>SECTION</u></b>	<b><u>PAGE</u></b>
VACANCY	315	3-10
SUBSIDIARIES AND SUBORDINATE GROUPS		
AUTHORITY	700	7-1
INCORPORATIONS	710	7-1

**SECTION 230 - STENOGRAPHIC EXPENSE** - The stenographic expense, including recording the proceedings of the National Convention, shall be borne by National Headquarters.

**SECTION 235 - CONVENTION ADMINISTRATIVE COMMITTEES**

**CH 14-08** (a) The National Convention Administrative Committees shall be Credentials, Resolutions and Rules.

(b) The National Vice Commandant of each Division shall forward to the National Commandant, no later than July 1 prior to each National Convention, the name of one (1) member of his Division who plans to be at the National Convention for each of the three Administrative Committees. If no names are submitted by the aforementioned date, the National Commandant will then recommend whom he/she deems appropriate to fill that position with the approval of the Board of Trustees.

**CH 1-95** (c) So far as is possible, the National Commandant will appoint one (1) member of each Division to serve upon each National Administrative Convention Committees, notifying each appointee of the selection and further shall appoint a Chairperson of the committee in order to call the first meeting and organize the committee business, as appropriate. Should there be a division within any Committee upon any proposal the minority shall have the privilege of stating the reasons for their position after the Committee Chairman's report on such proposal.

(d) The duties of the National Convention Administrative Committees are:

(1) **CREDENTIALS COMMITTEE** Shall: (1) examine the credentials of each Delegate and Alternate Delegate, (2) determine that each member desiring to register possesses a current membership card, (3) compile a continuing list of all registered and approved Delegates and Alternates and the approved Delegate voting strength of each Detachment in good standing. The lists shall be available upon the request of the chair and shall be presented as a part of the Committee's final report to the National Convention, (4) disapprove the credentials of Delegates **NOT** in good standing at the time of the National Convention.

(2) **RESOLUTIONS COMMITTEE** Shall receive and consider all properly submitted resolutions (**NOT** Bylaws proposals) complying with the requirements of the National Bylaws and Administrative Procedures and may offer resolutions on behalf of the Committee deemed by the Committee to be advisable and necessary. The Committee, by a majority vote, shall either approve or disapprove all properly registered resolutions considered by the Committee. The Committee Chairman will report the Committee's recommendations upon such resolutions to the National Convention for its consideration and action.

(3) **RULES COMMITTEE** Shall study the rules of the Convention employed at prior Convention(s) and determine the need for any additional rules or revision thereof, for recommendation to the Convention for application during that specific Convention.

**CH 20-14 SECTION 240 - BIDS FOR NATIONAL CONVENTION** - Any Detachment may make a formal written bid for a National Convention provided that such bid, in complete detailed form as outlined hereinafter, is in the hands of the National Director of Convention Committee a maximum of three (3) years and a minimum of two (2) years prior to that National Convention Committee meeting at which consideration is desired. All bids must be received no later and 30 May, two (2) years prior to the requested year to host a National Convention. All formal written bids must include the following minimum requirements:

(a) A resolution approved at a regular meeting of the bidding Detachment signed by the Detachment Commandant and Adjutant/Paymaster inviting the Marine Corps League to hold its National Convention in their city no less than two (2) years after the date of consideration. If their bid is accepted, the Detachment shall submit itself to the control, supervision, direction and guidance of the National Director of Conventions and his Committee and will cooperate in every way, making no contracts or agreements of any nature with anyone without the prior approval of the National Director of Convention Committee. All monies which are the property of National Headquarters, Marine Corps League, collected prior to and during the National Convention in their city, will be turned over to the National Adjutant/Paymaster no later than the conclusion of that National Convention.

(b) A Resolution of the Department Convention of which the bidding Detachment is a part approving the bid and assuring the Marine Corps League of the Department's full cooperation. If a Department does not approve the Detachment's bid, it must substantiate its position in writing.

(c) Written detail of all entertainment activities with estimated cost of each event and estimated cost of activities ticket.

(d) Assurance of reasonable availability of chauffeured vehicles for emergency use and for transportation of distinguished guests to and from normal transport terminals.

(e) Assurance of a convenient Headquarters Command Post and Information Center.

(f) Letters over the signatures of the host city Mayor or Manager and the Executive Officer of the Chamber of Commerce inviting the Marine Corps League to their city and assuring their full cooperation.

(g) Letter from proposed host city Hotel-Motel Association or individual Hotel-Motel Manager detailing accommodations available and assurance of full cooperation as follows:



(1) An adequate and acceptable complimentary hall to accommodate the Joint Opening Session, Complimentary meeting rooms for Marine Corps League Auxiliary, Fleas, Devil Dogs, Memorial Service, Banquet (with dancing), and Committee Conference rooms;

(2) Adequate accessible Registration room that can be secured, free of interference for the full period of registration;

(3) Complimentary suites for the National Commandant, The Chief Devil Dog, and the National President of the Marine Corps League Auxiliary. Complimentary rooms for the National Executive Director, MCL, Executive Secretary/Kennel Dog Robber MODD, the Executive Secretary of the MCLA, one complimentary room for Distinguished Guests, and complimentary rooms for the National Convention Chairman, and the MCLA Chairwoman.

(4) Total available rooms with Convention rates, both single and double;

(5) Choices of Special Luncheons, Dinners, and Banquet with Convention prices.

(h) Assurance to the Detachment, Department, and National Convention Corporation of such other reasonable assistance as is deemed advisable and necessary by National Director of Conventions Committee.

(i) Convention hotel-motel will be wheelchair accessible and be eligible to display the International Wheelchair symbol (See enclosure one (1)).

(1) That all public in-house restaurants, bars, cocktail lounges, nightclubs, rest-rooms, etc., be wheelchair accessible.

(2) Five percent (5%) of all hotel-motel rooms will be wheelchair accessible, with a minimum of ten (10) rooms.

(3) Whenever possible, one handicapped/paralyzed member will be on the National Director of Convention Committee's inspection tour of the OFF SITE Special Events and Tours. Activities that are accessible to the handicapped/paralyzed, will be identified by the wheelchair symbol (see enclosure one (1)). All correspondence will indicate if the event or tour can accommodate the handicapped/paralyzed.

(4) The above conditions apply to all Marine Corps League meetings National Board of Trustees, Division Conferences, and Department and/or Staff meetings.

(5) A department may bid for the National Convention by fulfilling all of the requirements listed in this Section. The jurisdictional Division Vice Commandant shall approve or disapprove the department's bid. Should the bid be disapproved, the reasoning must be substantiated in writing.

(j) The National Director of Conventions must certify in writing to the National Judge Advocate that all Convention bids that are to be considered by the National Convention have complied with Section 240 of the Administrative Procedures; however, a Detachment or a Department, if it desires, may make additional presentations to the Convention Body prior to any recommendation being made to the Convention by the National Director of Convention Committee.

(k) The National and/or Local Convention Committee shall not permit any Detachment, Department, Auxiliary Unit, individual or group of individuals or itself, to engage in the sale of military or Marine Corps League related merchandise in, on or about the convention site, without the expressed approval of the National Executive Director, OR the National Merchandise Manager.

**CH 16-10 SECTION 245 - CONVENTION CORPORATION** - The Department or Detachment selected to host a National Convention shall, within ninety (90) days after approval and under the supervision of the National Director of Conventions, furnish National Headquarters with two (2) copies of their State approved incorporation papers as the 20\_ \_ Marine Corps League Convention Corporation, as well as the Articles of Incorporation, and shall thereafter submit to the National Director of Conventions Committee monthly progress reports detailing development of Convention plans and programs.

respondent shall have ten days to respond to the jurisdictional judge advocate in writing concerning his defense to the alleged grievance but need not respond if he so chooses.

(2) The written grievance may be served upon the respondent in person by the Department Sergeant-at-Arms. Upon service, the Sergeant-at-Arms shall file a written return of service specifying the date and time the respondent was served.

(3) A failure to accept or a refusal to accept certified mail or to sign for the receipt of such mail after due notice from the United States Post Office shall be deemed to be good service.

(b) The Department Judge Advocate shall review the grievance and response (if any) and act as mediator in the dispute. If the Department Judge Advocate is successful in resolving the grievance, he shall inform the petitioner and the respondent in writing that the matter is resolved with a copy of such written notice to the National Judge Advocate. If his efforts fail, he shall so report the same to the Department Commandant.

(c) Upon notice that the grievance is not resolved, the Department Commandant shall then appoint a Hearing Board composed of himself as Chairman, the Department Judge Advocate, and minimum of two (2) other members, none of whom shall be members of the unit involved.

**CH 19-13** (d) The Hearing Board is empowered to convene a hearing at a time and place of its convenience within the state in which the grievance is alleged to have occurred. Any challenge to the composition of the Hearing Board or to the notices given concerning such hearing must be made in accordance with Section 909, Paragraph (a) of this chapter.

(e) The Hearing Board may call witnesses. It shall hear appropriate testimony either orally or by affidavit as set forth in this chapter. A hearing board may also conduct its own independent investigation. The petitioner has the burden of proving his allegations at the convened hearing.

(f) The decision of the Hearing Board shall be made in writing and must be affirmed by a majority of the Hearing Board.

(1) If the grievance is substantiated and proved, the Hearing Board shall state in its decision the corrective action necessary to eliminate the grounds for the grievance.

(2) If the grievance is not substantiated or proved, the written decision shall so state and the matter shall stand dismissed.

(3) The written decision shall be forwarded within fifteen (15) days to the Petitioner and the respondent, with copies to all of the participating parties and the National Judge Advocate.

(g) The failure of a respondent to take the corrective action found by the Hearing Board to resolve a grievance which has been substantiated and proved may be grounds for disciplinary charges.

**CH 19-13** (h) Either the Petitioner or the Respondent may appeal the decision of the Hearing Board to the National Judge Advocate. Such appeal must be filed in writing within thirty (30) days after receipt of the Hearing Boards decision. The appeal should set forth as clearly as possible the basis for such appeal. A complete copy of the Appeal shall be provided to the other party (Respondent or Petitioner) and to the Jurisdictional Judge Advocate concurrent with the filing of the Appeal to the Appellate Authority.

**CH 15-09** (1) The National Judge Advocate shall rule on the appeal and shall so advise all participating parties in writing of his decision either substantiating or denying the appeal within thirty (30) days. The participating parties under this subsection are: the National Commandant; the Department Judge Advocate; the Department Commandant; the Petitioner; and the Respondent.

**CH 19-13** (2) The National Judge Advocate may make his decision concerning the appeal merely from the records, or he may permit the petitioner and/or the respondent or any other party to make an oral or written argument concerning the appeal before the National Judge Advocate after due written notice to all other participating parties; however, no oral or written argument or contact should be made to the National Judge Advocate concerning any Grievance matter or Appeal absent his specific request for same.

(3) If the record of the hearing is insufficient or there exists material irregularities in procedure, the National Judge Advocate may refer the matter back to the Hearing Board to supplement the record or to correct such material irregularity to insure that justice prevails.

**CH 20-14** (i) Either the petitioner or the respondent may appeal the National Judge Advocate's decision in writing setting forth the basis for such appeal within thirty (30) days to the National Board of Trustees via the National Commandant.

(1) The National Board of Trustees shall review the appeal at the first scheduled meeting subsequent to receiving such appeal.

(2) The National Board of Trustees may make its decision merely from the record, or it may permit the petitioner and/or the respondent or any other party to appear and argue the matter before the National Board of Trustees after due written notice to all other participating parties. It may take, but is not required to take, further evidence relating thereto under such rules and conditions as it may from time to time adopt.

(b) Upon receiving the written complaint, the Department Judge Advocate shall have twenty (20) calendar days in which he may conduct a preliminary informal investigation to determine the merit of the disciplinary charge and should explore the possibility of a negotiated settlement.

(c) In the absence of a settlement being accomplished in the twenty (20) calendar day period, the Department Commandant shall immediately appoint a Hearing Board as required herein which shall convene within forty (40) calendar days subsequent to such appointment.

(1) The appointed Hearing Board shall be composed of the Department Commandant as chairman, the Department Judge Advocate and a minimum of two (2) other members.

**CH 19-13** (2) The Hearing Board is empowered to convene a hearing at a time and place of its convenience subject to the limitations as set forth above in paragraph 904(c). Any challenge to the notices given concerning such hearing must be made within ten days of the receipt of the notice(s) or shall be deemed to have been waived. Any challenge to the composition of the Hearing Board must be made in accordance with Section 909, Paragraph (a) of this chapter.

(3) The Hearing Board may call witnesses but is under no obligation to do so. The petitioner has the burden of proving any and all disciplinary charges against the respondent to the satisfaction of the Hearing Board.

(4) The Hearing Board shall hear appropriate testimony either orally or by affidavit as set forth in this chapter. A hearing board may also conduct its own independent investigation.

(d) The decision of the Hearing Board shall be made in writing and must be affirmed by a majority of the Hearing Board.

(1) If any disciplinary charge is substantiated and proved, the Hearing Board shall so state in its decision its findings relating to the evidence and shall also state the punishment awarded by the Hearing Board.

(2) If any disciplinary charge is not substantiated or proved, the written decision shall so state.

(3) The written decision shall be forwarded within fifteen (15) days to the petitioner and the respondent, with copies to all of the participating parties, and the National Judge Advocate and National Adjutant/Paymaster.

**CH 19-13 (e)** A written appeal of the Hearing Boards decision may be made to the Appellate Authority, normally the National Judge Advocate, by either the Respondent or Petitioner. Any appeal must be made in writing within thirty (30) days after receipt of the Hearing Board's decision setting forth as clearly as possible the basis for such appeal. A complete copy of the Appeal shall be provided to the other party (Respondent or Petitioner) and to the Jurisdictional Judge Advocate concurrent with the filing of the Appeal to the Appellate Authority.

(1) The National Judge Advocate shall rule on the appeal and shall so advise all participating parties in writing of his decision either substantiating or denying the appeal within thirty (30) days.

(2) The National Judge Advocate may make his decision on the appeal merely from the records, or he may permit the petitioner and/or the respondent or any other party to make an oral or written argument concerning the appeal before the National Judge Advocate after due written notice to all other participating parties by the National Judge Advocate allowing such argument. No oral or written argument or contact should be made to the National Judge Advocate concerning any disciplinary matter or appeal absent his specific request for the same.

(3) If the record of the hearing is insufficient or there exists material irregularities in procedure, the National Judge Advocate may refer the matter back to the Hearing Board to supplement the record or to correct such material irregularity to insure that justice prevails.

**CH 20-14 (f)** Either the petitioner or the respondent may appeal the National Judge Advocate's decision in writing setting forth the basis for such appeal within thirty (30) days of receipt of the National Judge Advocate's decision to the National Board of Trustees via the National Commandant.

(1) The National Commandant, upon receiving such an appeal, shall place the subject on the agenda of the National Board of Trustees for review at the next scheduled meeting of the Board.

(2) The National Board of Trustees shall review the appeal at the first scheduled meeting subsequent to receiving such appeal.

(3) The National Board of Trustees may make its decision merely from the records, or it may permit the petitioner and/or the respondent or any other party to appear and argue the matter before the National Board of Trustees after due written notice to all other participating parties. It may take, but is not required to take, further evidence including evidence in mitigation or aggravation of such disciplinary charge(s) and/or the punishment awarded relating thereto under such rules and conditions as it may from time to time adopt.

(1) The jurisdictional judge advocate cannot sit on any Appeal Board. The jurisdictional judge advocate may be called as a witness by the party or board hearing the appeal. The National or Department Commandant as is relevant shall appoint an acting Judge Advocate for any recused jurisdictional judge advocate. Such acting Judge Advocate shall preferably be a Past National or Department Judge Advocate, Past National Commandant or Department Commandant.

(f) Duties of Sergeant-at-Arms

(1) The Chairman of the Hearing Board will appoint a Sergeant-at-Arms, preferably from the local area. The duties of the Sergeant-at-Arms are to preserve order and to perform other duties as required by the Chairman of the Hearing Board.

(g) Duties and Responsibilities of Hearing Board

(1) The Hearing Board may but is not obligated to invite additional witnesses other than those designated by the petitioner or the respondent.

(2) The jurisdictional judge advocate will provide the petitioner and respondent with a list of witnesses including witnesses to be called by the Board itself and copies of all exhibits as identified and provided by the petitioner and the respondent or to be introduced by the Hearing Board itself not less than five (5) days prior to the convening of the Hearing Board.

**CH 14-08** (3) The Hearing Board will, in so far as practicable, conduct the hearings as outlined in accordance with Roberts Rules of Order, Newly Revised. Hearings will be held in Executive Session. The Jurisdictional Judge Advocate will write the findings of the Hearing Board and notify all parties concerned.

(4) The petitioner or the respondent or their representative will conduct the examination and/or cross examination of witnesses. If a representative is utilized, principals may not separately interrogate the witnesses. Only one party, either the petitioner or the respondent or their appointed representative from each side will be permitted to examine or cross-examine witnesses.

(5) The Hearing Board Chairman and members of the Board may conduct a separate inquiry of any witness.

**CH 15-09** (h) Duties and Responsibilities of the National Judge Advocate

Once all appeals are completed and the punishment is determined to be suspension or expulsion from the Marine Corps League, the National Judge Advocate will notify in writing, the appropriate National Officer in the Military Order of the Devil Dogs of the punishment awarded when it involves a member of that Order.

### **SECTION 910 - SUSPENSION PENDING HEARING**

In all disciplinary proceedings brought under Sections 904, 905, and 906 herein, the designated jurisdictional Judge Advocate shall possess the discretionary authority to temporarily suspend the respondent from membership, office or function pending final resolution of the disciplinary charge. The National Judge Advocate and National Adjutant/Paymaster shall be notified in writing of such suspension.

### **SECTION 911 - PUNISHMENT**

(a) Following conformance with the procedures outlined in this Chapter, if the Respondent is adjudged guilty of committing any act which would tend to bring the Marine Corps League into public disrepute, and/or conduct unbecoming a member of the Marine Corps League, or if he has violated any of the applicable provisions of the National,

(b) Department or Detachment Bylaws or Administrative Procedures, or any offense set forth in Section 913 hereof, the Respondent shall be subject to the following:

(1) A member, or officer at any level, may be punished by written reprimand, suspension for a specified period of time, or be expelled from the Marine Corps League.

(2) A Detachment or Department may receive a reprimand; its Charter may be temporarily suspended; or its Charter may be permanently revoked.

(3) The National Adjutant/Paymaster shall be notified of all actions taken pursuant to this section.

**CH 18-12** (c) When the respondent has been adjudged guilty, and punished by suspension, or expulsion the respondent is stricken from the roles of the Marine Corps League for the specified period of time specified by the adjudication. During that time, the respondent is not permitted to attend or participate in any functions of the Marine Corps League, subsidiary and subordinate organizations or to represent that he is a member of the Marine Corps League. If the respondent is found in violation of a suspension, the respondent is subject to further charges and possible expulsion from the Marine Corps League.

**CH 20-14** (d) The administrative procedures for Suspension and Reinstatement are delineated in Attachment Six (6). The administrative procedures for Expulsion are delineated in Attachment seven (7). The administrative procedures for Resignation in Lieu of Hearing are delineated in Attachment Eight (8).

### **SECTION 912 - CRIMINAL ACTS**

Should any member of the League, or any subsidiary organization, subordinate group or members thereof, violate any of the criminal laws of the United States, or a State having jurisdiction thereof, the complaint should be made directly to the proper Federal, State or local authority, and not to the League although such conduct may also be the basis for a disciplinary charge under this chapter.



**SUSPENSION AND REINSTATEMENT PROTOCOL**

**Suspension Protocol**

1. **Temporary Suspension** - Under **NAP Section 910** the Department Judge Advocate may order a Temporary Suspension, but is not required to do so, after a disciplinary charge is formally filed by certified mail, return receipt requested (RRR) with the Department Judge Advocate. The Temporary Suspension:
  - a. Is effective on the date of service\* on the Respondent;
  - b. Includes NAP Section 911 (c) restrictions; and
  - c. Ends on the date of the Findings of the Hearing Board (Findings).

If the Respondent holds an office, the office is considered vacant and a temporary officer is appointed to fill the vacancy until the temporary suspension ends. If the Respondent is found (1) not guilty or (2) guilty but is not suspended or expelled, the Respondent is restored to his/her office.

\*For effective service, see Para 3.d below.

2. **Punishment** – The Hearing Board awards to Respondent, punishment of suspension for \_\_\_\_\_months/years.
3. **Date Suspension is Effective** –
  - a. Temporary suspension ends on the date of the Findings.
  - b. Suspension is effective on the date of the Findings.
  - c. If the sentence of the Hearing Board states the beginning date of the suspension, the suspension begins and ends in accordance with the stated date.
  - d. Service of Findings will be made in accordance with **NAP Section 900 (e) and (f)** using certified mail RRR. Proof of delivery of certified mail to Respondent’s last known address constitutes service even if Respondent does not accept delivery.
4. **Any office held** - by Respondent is vacant on the date of the Findings. The Detachment, the Department or National may proceed immediately to fill the vacancy.
5. **Appeal denied or not filed** - If punishment of suspension is still in effect when the appeal process is exhausted\*, the National Judge Advocate (NJA) notifies the National Adjutant/Paymaster that Respondent’s name is to be stricken from the rolls. In practice, Respondent’s name remains on the roster of his Detachment but has the notation “suspended” marked after his name.

\*Appeal not filed within time limits or last appeal is ruled upon.

**6. Removal from Rolls –**

- a. The National Adjutant/Paymaster removes Respondent's name from the rolls by notation "suspended" after his/her name. Respondent continues to be carried as a member of his/her Detachment on the National roster but with a notation of suspension.
- b. After the date of suspension is effective, Respondent remains a member of the Detachment in which he/she held membership at the time of suspension.
- c. The National Adjutant/Paymaster does not maintain a list of suspended or expelled members separate from the National roster.
- d. The National Judge Advocate shall maintain a list of suspended and expelled members, which is updated weekly and sent to the National Adjutant/Paymaster and National Executive Director.

**7. Notification of Removal of Name from Rolls –** Upon receiving written notice from the National Adjutant/Paymaster of the notation of suspension, the National Judge Advocate notifies in writing\*, the Division National Vice Commandant, Department Commandant, Department Judge Advocate, Detachment Commandant, MODD Smart Dog, Petitioner and Respondent:

- a. Respondent's name has been removed from rolls, e. a. a notation of suspension after Respondent's name, but Respondent remains a member of the Detachment under the conditions set forth in Section 911 (c) ;
- b. Date suspension became effective;
- c. Date suspension ends; and
- d. Protocol for reinstatement (See Para 10 below).

\*NAP Section 900 (g) applies. Petitioner and Respondent are notified by certified mail, return receipt requested. E-mail to all others is acceptable.

**8. Violation of Suspension –**

- a. A violation of suspension stops "good time" towards the suspension from the date of the violation.
- b. Upon resolution of charge of violation of suspension:
  - (1) If guilty, National Judge Advocate re-computes suspension time according to punishment; or
  - (2) If not guilty, Respondent receives credit for all time since date of suspension.

- 9. Suspension period ends** – Respondent is not notified that the suspension period has ended. It is his/her responsibility to keep track of his/her status. Until Respondent receives a Letter of Reinstatement from the National Judge Advocate, the conditions of suspension under Section 911 (c) remain in effect.

### **Reinstatement Protocol**

#### **1. Reinstatement on the Rolls –**

- a. Until Respondent is reinstated on the rolls, the conditions of suspension in Section 911 (c) remain in effect.
- b. Respondent remains a suspended member of the Detachment in which he/she held membership at the time of suspension until reinstated.
- c. Respondent has the responsibility to request reinstatement on the rolls by letter to the National Judge Advocate sent by certified mail RRR.
- d. Upon ascertaining that all conditions have been met for reinstatement, the National Judge Advocate will issue a Letter of Reinstatement stating: (1) the date of reinstatement and;  
(2) the Detachment in which Respondent is a member in good standing.
- e. The National Judge Advocate will send a copy of the Reinstatement Letter to National Headquarters, Division National Vice Commandant, Department Commandant, Department Judge Advocate, Detachment Commandant, MODD Smart Dog and Petitioner.
- f. The National Judge Advocate will request that the National Adjutant/Paymaster remove the “suspended” designation in the National database.
- g. When the National Judge Advocate receives e-mail from the National Adjutant/Paymaster that the notation of suspension has been removed the National Judge Advocate will forward the e-mail to all officers named in Para 1 (e) above.
- h. If Respondent does not request reinstatement within **two (2) years** from the date of the end of suspension, the National Judge Advocate will notify the National Adjutant/Paymaster that the Respondent’s name is to be removed from the membership rolls. Thereafter, to rejoin the Marine Corps League the Respondent must apply to a Detachment of his choice for membership.

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**EXPULSION PROTOCOL**

1. **Punishment** – The Hearing Board awards to Respondent punishment of Expulsion.
  
2. **Date Expulsion is Effective** –
  - a. Expulsion is effective on the date of the Findings of the Hearing Board (Findings)
  - b. Service of Findings will be made to all parties concerned. **NAP Sections 909 (g) (3)**. The Respondent will be served by certified mail return receipt requested (RRR). **NAP Section 900 (g)**. Proof of delivery of certified mail to Respondent’s last known address constitutes service even if Respondent does not accept delivery.
  - c. The National Judge Advocate (NJA) will maintain a list of expelled members, which is updated weekly and sent to the National Adjutant/Paymaster and National Executive Director. The Respondent’s name will be added to the list with the notation “appeal period running”.
  
3. **Appeal Process** – When the appeal process is exhausted\*:
  - a. If punishment of Expulsion is still in effect the National Judge Advocate will notify the National Adjutant/Paymaster in writing that Respondent’s name is to be stricken from the rolls.
  - b. If punishment of Expulsion is NOT in effect the National Judge Advocate will make notifications in accordance with Para 5 below.  
\*Appeal not filed or last appeal is ruled on.
  
4. **Removal from Rolls** -
  - a. Upon receipt of written notice from the National Judge Advocate that Respondent’s name is to be stricken from the rolls, the National Adjutant/Paymaster will remove Respondent’s name from the rolls.
  - b. The National Adjutant/Paymaster does not maintain a list of expelled members separate from the membership roster.
  - c. The National Judge Advocate will remove the notation “appeal period running” after Respondent’s name on the Expulsion List and insert the date the National Adjutant/Paymaster removed the name from the rolls.
  
5. **Notification** – The National Judge Advocate will notify:
  - a. the Division National Vice Commandant, Department Commandant, Department Judge Advocate, Detachment Commandant and the MODD Smart Dog, in writing or by e-mail; and

- b. The Petitioner and Respondent by certified mail RRR, that the Respondent's name has been removed from rolls on the date stated by the National Adjutant/Paymaster.

**6. Bar to Membership** – Expulsion is a permanent bar to membership in the Marine Corps League.

**RESIGNATION IN LIEU OF HEARING BOARD PROTOCOL**

When Disciplinary Charges have been filed, the following procedure will be followed if the Respondent submits his/her resignation from the Marine Corps League to avoid the hearing:

1. Respondent submits his/her resignation from the Marine Corps League to the Convening Authority with a copy to the Jurisdictional Judge Advocate and the Detachment Commandant. (**Attachment A** is a sample resignation letter).
2. **The Convening Authority** has the option to accept or reject the resignation.
  - a. **Accept.** If the Convening Authority accepts the resignation, he/she forwards the resignation to the National Judge Advocate (NJA) with a copy of the forwarding letter to Respondent, Petitioner and Detachment Commandant. The resignation is effective retroactively to the date of the resignation letter.
  - b. **Reject.** If the Convening Authority rejects the resignation, he/she sends a letter of rejection to the Respondent with a copy to the National Judge Advocate, the Jurisdictional Judge Advocate, the Petitioner and the Detachment Commandant. The Convening Authority may continue the disciplinary procedure in **NAP, Chapter Nine (9)**.
3. **The National Judge Advocate** will forward the accepted original resignation letter to the National Executive Director and request that the National Adjutant/Paymaster remove the Respondent's name from the rolls. The National Judge Advocate will also send a copy of the letter to the National Commandant and Division National Vice Commandant.
4. **The National Adjutant/Paymaster** will remove the Respondent's name from the rolls and notify the National Judge Advocate by e-mail.
5. **The National Judge Advocate** will:
  - a. send a letter to the Respondent informing him/her that his/her name has been removed from the rolls, with a copy to the Petitioner;
  - b. Forward the National Adjutant/Paymaster's e-mail to the Division National Vice Commandant, Convening Authority, Jurisdictional Judge Advocate and Detachment Commandant; and
  - c. Place the Respondent's name on the Expulsion/Resignation ILH list.

**RESIGNATION IN LIEU OF HEARING (ILH)**

Studley Whiplash  
Commandant  
Department of Texas  
28 Paddock Lane  
Sugar Land, TX 11111

**RE: Resignation of Marine Corps League Membership**

Commandant Whiplash:

In lieu of appearing before a hearing board to defend myself against disciplinary charges, I hereby resign my membership in the Marine Corps League effective immediately.

DATE: \_\_\_\_\_

SIGNED: \_\_\_\_\_

Anthony Smacketelli

**(Attachment A - Sample)**



**ADMINISTRATIVE PROCEDURES**  
**INDEX**

	<b><u>SECTION</u></b>	<b><u>PAGE</u></b>
CHAPTER ONE - GENERAL		1-1
CHAPTER TWO - NATIONAL CONVENTION		2-1
CHAPTER THREE - NATIONAL STAFF		3-1
CHAPTER FOUR - DIVISIONS		4-1
CHAPTER FIVE - DEPARTMENTS		5-1
CHAPTER SIX - DETACHMENTS		6-1
CHAPTER SEVEN - MEMBERS		7-1
CHAPTER EIGHT - SUBSIDIARIES AND SUBORDINATES		8-1
CHAPTER NINE - GRIEVANCE AND DISCIPLINE		9-1
CHAPTER TEN - MISCELLANEOUS		10-1
ADMINISTRATIVE PROCEDURES AND BYLAWS		
AMENDMENTS	1015	10-3
EFFECTIVE DATE	1020	10-3
DISTRIBUTION	1025	10-3
ADVISORY COUNCILS AND DUTIES	310	3-6
PAST NATIONAL COMMANDANTS' COUNCIL	310(a)	3-6
DEPARTMENT COMMANDANTS' COUNCIL	310(b)	3-7
BIBLE, RESPECT	1005	10-2
COMMITTEES, STANDING		
AMERICANISM	300(b)	3-1
AWARDS AND CITATIONS	300(e)	3-2
BUDGET AND FINANCE	300(a)	3-1
NATIONAL WAYS AND MEANS COMMITTEE	300(g)	3-3
DIRECTOR OF CONVENTIONS	300(d)	3-1
LEGISLATIVE	300(f)	3-3
MARINE OF THE YEAR	300(h)	3-3
UNIFORM	300(c)	3-1
CONVENTIONS, NATIONAL		
BIDS FOR,	240	2-4
COMMITTEE, NATIONAL CONVENTION		
COMPOSITION	300(b)	3-1
RESPONSIBILITIES	300(c)(2)	3-1
COMMITTEES, ADMINISTRATIVE (NATIONAL)	235	2-3
BYLAWS AND ADMINISTRATIVE PROCEDURES	235(d)(2)	2-3
CREDENTIALS	235(d)(1)	2-3
RESOLUTIONS	235(d)(3)	2-3
RULES	235(d)(4)	2-4
CORPORATION, CONVENTION	245	2-6

**ADMINISTRATIVE PROCEDURES**  
**INDEX**

	<b><u>SECTION</u></b>	<b><u>PAGE</u></b>
FUNDRAISING AT CONVENTIONS, CONFERENCES AND MEETINGS	1000(g)	10-1
INSTALLATION, NATIONAL OFFICERS MEETINGS	225 200	2-2 2-1
PROCEDURES	210	2-2
REGISTRATION	220	2-2
RULES OF ORDER	215	2-2
STENOGRAPHIC EXPENSES	230	2-2
TIME AND PLACE	205	2-1
GRIEVANCE AND DISCIPLINE	900	9-1
RESIGNATION IN LIEU OF HEARING BOARD PROTOCOL	900	Att. 8
ADMINISTRATIVE EXPULSION OF A MEMBER	915	9-22
APPEALS		
GRIEVANCES	901(h)(i)	9-2
DEPARTMENT, DIVISION OR NATIONAL NATIONAL CONVENTION	902(b) 903(a)(5)	9-5 9-5
DISCIPLINE		
MEMBERS, DETACHMENT, DEPARTMENT OFFICERS AND BOARD OF TRUSTEES	904(e)(f)	9-7
DEPARTMENT COMMANDANT OR DEPARTMENT NATIONAL OFFICERS AND BOARD OF TRUSTEES	905(e) 906(e)(f)	9-10 9-12
NATIONAL COMMANDANT	907(g)(h)	9-13
NATIONAL JUDGE ADVOCATE	908(f)(g)	9-15
CHARGES STEMMING FROM A PREVIOUSLY HEARD MATTER	914	9-21
CRIMINAL ACTS	912	9-20
DEFINITIONS	900	9-1
DISCIPLINE (CHARGES)		
DISCIPLINE OF A MEMBER, DETACHMENT, DEPARTMENT OFFICERS AND BOARD OF TRUSTEES	904	9-6
DEPARTMENT COMMANDANT OR DEPARTMENT NATIONAL OFFICERS AND BOARD OF TRUSTEES	905 906	9-9 9-11
NATIONAL COMMANDANT	907	9-13
NATIONAL JUDGE ADVOCATE	908	9-14
GRIEVANCES	901	9-2
DEPARTMENT, DIVISION OR NATIONAL NATIONAL CONVENTION	902 903	9-5 9-5
HEARING PROCEDURES	909	9-15
DUTIES AND RESPONSIBILITIES OF HEARING BOARD	909(g)	9-19

**ADMINISTRATIVE PROCEDURES**

**INDEX**

	<b><u>SECTION</u></b>	<b><u>PAGE</u></b>
DUTIES OF PETITIONER	909(b)	9-17
DUTIES OF RESPONDENT	909(c)	9-17
DUTIES OF SERGEANT-AT-ARMS	909(f)	9-19
JURISDICTIONAL JUDGE ADVOCATE AND APPEALS	909(e)	9-18
NOTICE OF COMPOSITION OF HEARING BOARD	909(a)	9-16
OFFICIAL RECORD OF THE PROCEEDINGS	909(d)	9-17
OFFENSES	913	9-21
PUNISHMENT	911	9-20
EXPULSION PROTOCOL	900	Att. 7
SUSPENSION PENDING HEARING	910	9-20
SUSPENSION AND REINSATEMENT PROTOCOL	900	Att. 6
DEPARTMENTS		
AUTHORITY	510	5-1
DUES, DEPARTMENT	520	5-1
FORMATION	500	5-1
INSTALLATION OF OFFICERS, DEPARTMENT	530	5-1
POWERS	505	5-1
DETACHMENTS		
AUTHORITY	610	6-3
CHARTER	600	6-1
DUES, DETACHMENT	615	6-3
INSTALLATION OF OFFICERS, DETACHMENT	620	6-3
DIVISIONS		
ALIGNMENT	410	4-1
FORMATION	400	4-1
POWERS	405	4-1
UNASSIGNED	415	4-2
FUND RAISING	1000	10-1
BY DEPARTMENT	1000(f)	10-2
BY NATIONAL	1000(d)	10-1
LIMITATIONS	1000(c)(d)	10-1
OTHER DETACHMENTS IN CITY	1000(b)	10-1
SOLICITATION	1000(e)	10-1
TERRITORY	1000(b)	10-1
HONORARY PAST NATIONAL COMMANDANTS	300(j)	3-6
MARINE CORPS LEAGUE		
CORPORATE SEAL	105	1-1
LOCATION, OFFICES	101	1-1
NAME AND PURPOSE	100	1-1
ORGANIZATION	120	1-2

**ADMINISTRATIVE PROCEDURES**  
**INDEX**

	<b><u>SECTION</u></b>	<b><u>PAGE</u></b>
POLICY	110	1-2
SUPREME POWER	110	1-2
MEMBERS		
INITIATION	700	7-1
DEATH OF A MEMBER	720	7-1
TRANSFER MEMBERSHIP	710	7-1
RESOLUTIONS, SUBMITTING AND PROCESSING	1010	10-2
SIGNATURE STAMP, AUTHORIZATION	1030	10-4
SUBSIDIARIES AND SUBORDINATES		
REPORTS IRS	800	8-1
MARINES HELPING MARINES	880	8-3
MARINE CORPS LEAGUE AUXILIARY	810	8-1
MARINE CORPS LEAGUE FOUNDATION	870	8-2
MARINE CORPS LEAGUE YOUTH PHYSICAL FITNESS PROGRAM	860	8-2
MARINE OF THE YEAR SOCIETY	850	8-2
MILITARY ORDER OF DEVIL DOGS	820	8-1
MILITARY ORDER OF DEVIL DOG FLEAS	830	8-2
YOUNG MARINES OF THE MARINE CORPS LEAGUE	840	8-2
TERM OF OFFICE, APPOINTED OFFICERS, CHAIRMEN AND COMMITTEE MEMBERS	320	3-8
UNITS OUTSIDE OF CONTINENTAL U.S.	415	4-2