

SPECIAL ORDER INITIATING DISCIPLINARY ACTION

Special Order No. _____ Date _____

Headquarters, VFW Post No. (or Department) _____

To: _____

A disciplinary action has been initiated against you pursuant to Article IX of the By-Laws and Manual of Procedure of the Veterans of Foreign Wars of the United States. Attached to this order is a copy of the Charges and Specifications (Form DA-2).

You may request an optional mediation as part of the proceedings by using the attached Form DA-6, Request for Mediation/Hearing. Mediation, if requested, will be conducted first and will be final (no further appeal) if you agree with the proposed settlement resulting from that action. If mediation proves unsatisfactory in your opinion or if mediation is not desired, you may still have a Disciplinary Hearing, requested again on Form DA-6.

You must notify _____ in writing, within fifteen (15) days of the date that this order and the attached Charges and Specifications were delivered to you. If you do not, disciplinary penalties may be imposed without these proceedings. Penalties may include termination or suspension of membership and relief from office.

By order of _____

Commander, Post No. _____
(or Department)

Official _____ Adjutant

CHARGES AND SPECIFICATIONS

Charge (1): _____

Specification (1):

Specification (2):

Charge (2): _____

Specification (1):

Specification (2):

On my oath or affirmation as a member of the Veterans of Foreign Wars of the United States, I declare that I have a reasonable belief that the above described act or acts have been committed.

Accuser (s)

Initiating Officer

(If additional Charges and Specifications are required, continue on a separate page and attach to this form.)

**ORDER APPOINTING A DISCIPLINARY HEARING
PANEL AND SPECIAL ORDER**

No. _____
Headquarters, VFW Post No. _____

Department of _____

Place _____

Date _____

Upon orders of _____, Commander
of _____, Veterans of Foreign Wars, a
Disciplinary Hearing Panel is appointed to meet at _____
at _____ on _____, 20____, or

as soon after this date as practicable for the purpose of trying such person or persons as
may be properly brought before it, including: _____

DETAIL FOR THE PANEL

Comrade _____ of Post No. _____
Comrade _____ of Post No. _____
Comrade _____ of Post No. _____
Comrade _____ of Post No. _____
Comrade _____ of Post No. _____
Comrade _____ of Post No. _____
Comrade _____ of Post No. _____
Comrade _____ of Post No. _____
Comrade _____ of Post No. _____, President of Panel
Comrade _____ of Post No. _____, Prosecutor
Comrade _____ of Post No. _____, Defense Counsel

By order of _____

Commander of _____

Official _____ Adjutant

FINDINGS AND SENTENCE

The panel was closed (or adjourned for the purpose of taking a ballot) and reported back as follows:

On all Charges and Specifications: _____

On Charge 1, Specification 1: _____

On Charge _____, Specification _____: _____

On Charge _____, Specification _____: _____

On Charge _____, Specification _____: _____

On Charge _____, Specification _____: _____

On Charge _____, Specification _____: _____

On Charge _____, Specification _____: _____
(attached additional sheets, if necessary)

The panel imposed the following sentence: _____

Prosecutor

President of the Panel

Date

Note: A copy of this form will be mailed to the accused at the last known address within seven (7) days after the hearing.

FORM OF RECORD OF DISCIPLINARY ACTION

Proceedings of a Disciplinary Hearing Panel convened at _____
_____ on _____, 20_____, pursuant to an order issued by

PRESENT

Comrade _____ of Post No. _____, President of Panel
Comrade _____ of Post No. _____, Prosecutor
Comrade _____ of Post No. _____, Defense Counsel
Comrade _____ of Post No. _____, Member
Comrade _____ of Post No. _____, Member
Comrade _____ of Post No. _____, Member
Comrade _____ of Post No. _____, Member
Comrade _____ of Post No. _____, Member
Comrade _____ of Post No. _____, Member
Comrade _____ of Post No. _____, Member

ABSENT

Comrade _____ of Post No. _____, Reason: _____
Comrade _____ of Post No. _____, Reason: _____
Comrade _____ of Post No. _____, Reason: _____
Comrade _____ of Post No. _____, Reason: _____

The accused received notice of the charges and specifications in accordance with Section 903 of the National By-Laws and requested a hearing: Yes ___ No ___

Challenges for cause were made on panel member(s) _____

Such challenges were sustained as to panel member(s) _____

The members of the panel were sworn. Yes ___ No ___

The Charges and Specifications were read to the accused, or the accused stated that he had read the charges, and he responded as follows:

PLEAS

To all Charges and Specifications: _____

Or

To Charge _____, Specification _____: _____

To Charge _____, Specification _____: _____

To Charge _____, Specification _____: _____

The following witnesses testified: _____

The following documents were used in evidence: _____

The defense was given full opportunity to examine each witness. Yes ____ No ____

The rights of the accused as a witness were explained to him. Yes ____ No ____

An argument was made by the Defense Counsel on behalf of the accused.

Yes ____ No ____

The accused did (not) take the witness stand in his own defense.

The accused was (not) present at the trial.

President

REQUEST FOR MEDIATION/HEARING

I have received Special Order No. _____ dated _____ with attached charges and specifications, indicating that a disciplinary action has been initiated.

As a result of this action, I request:

_____ a hearing with pre-hearing Mediation (if mediation proves unsatisfactory).

_____ a hearing without pre-hearing Mediation.

(Accuser)

(Note: This request must be mailed within fifteen (15) days of receipt of the Special Order (Form DA-1), to the person listed on the Special Order.)

RECORD OF MEDIATION

As a result of a request for pre-hearing mediation by the accused and with the mediation having now been completed, the following is the result agreed upon by all parties:

___ No agreement has been reached during this pre-trial mediation; a hearing date shall be scheduled within fifteen (15) days of said meeting.

All parties concerned understand that this form (DA-6) and all other documents related to this action must be forwarded to the Commander-in-Chief, for the issuance of a Special Order imposing the above agreed upon penalty. **There is no further appeal.**

(Mediation Officer)

(Initiating Officer)

(Accused)