



MARINE CORPS LEAGUE

-- Incorporated by an Act of Congress -- 27 August 1937 --

6 March 2021

From: Glen Barry Evans, PDC

To: National COO

Subj: Proposed Amendments to the National Bylaws and Administrative Procedures

In accordance with ARTICLE XI, SECTION 1100 of the National Bylaws and CHAPTER TEN, SECTION 10020 of the National Administrative Procedures, the following amendments is proposed.

These Amendments are submitted as a single submission, since they all deal with a single subject, as allowed in the National Bylaws and Administrative Procedures.

RESIGNATION WITH PREJUDICE

In National Bylaws, Article V, Section 520, add to Paragraph a., a new sub-paragraph (4) which will read:

(4) "Resignation with Prejudice" to avoid answering Disciplinary Charges at a Hearing Board is consistent with "Stricken from the rolls." See the National Administrative Procedures, Chapter Nine, Section 9040, Paragraph d. for details.

In National Administrative Procedures, Chapter Seven, Section 7065,

Change Paragraph a. and add new Paragraph b, to read:

- 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.
- b. ***In the event that the member has pending Disciplinary Charges against him/her, in accordance with Chapter Nine of these Administrative Procedures, the member must "Resign with Prejudice," and it will be handled in accordance with Section 9040 of Chapter Nine of these Administrative Procedures. Resignation with Prejudice will permanently bar the individual from future Membership in the Marine Corps League.***

Re-designate current Paragraphs b. through g. as paragraphs c. through h, respectively.

In Chapter Nine, Section 9040, change Paragraph d. to read:

d. Response to Disciplinary Charge.

(1) The Respondent shall have 10 days to file with the Department Judge Advocate his written response to the disciplinary charge. He shall serve a copy of the defense on the Petitioner. The Respondent need not respond if he so chooses.

(2) If the Respondent does not desire to present a defense to the Disciplinary Charges before a Hearing Board, they may "Resign with Prejudice" from the Marine Corps League. "Resignation with Prejudice," will avoid appearing before a Hearing Board and shall be determined to be a permanent bar of any future Membership in the Marine Corps League. "Resignation with Prejudice" will be handled as specified in Attachment 8 to this Chapter.

(Over)

In Attachment 8 to Chapter Nine of the National Administrative Procedures

Change the last sentence of Part 4 to read:

Place the Respondent's name on the Expulsion/Resignation ILH list, ***which will permanently bar any future membership in the Marine Corps League.***

Add a sentence to the text of the Sample Letter so that the entire text will read:

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

I understand that this action will bar the possibility of my having any future Membership in the Marine Corps League.

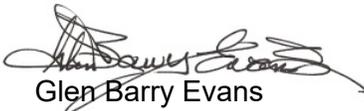
RATIONALE: There is no attempt to make any specific changes concerning “***Resignation with Prejudice.***” However, I have noted that many Members of the Marine Corps League do not really understand what the term means, or its ramifications.

Having gone through this process as a Department Judge Advocate last year, I realized that the various sections that mention “Resignation with Prejudice” needed to be tied together and defined more clearly.

That is all these changes attempt to do.

The new wording is identified by the use of ***Bold Italic Red*** font.

Semper Fidelis,



Glen Barry Evans