



**Department of North Carolina**  
**Office of the Judge Advocate**  
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**This proposed amendment  
 is RECOMMENDED FOR  
 APPROVAL with the  
 changes noted in RED**

16 May 2021

To: Marine Corps League National COO Bob Borka  
 Marine Corps League National Judge Advocate T J Morgan  
 From: Dennis Mathias, MCL Member, Life#: 39636

Subj: Proposed Additional National Administrative Procedure –CHAPTER SEVEN. Section 7032

In accordance with the National Bylaws Article XI, Sections 1100 and 1105, the following is submitted for consideration by the body assembled at the 2021 National Convention.

### **PROPOSED NEW ADMINISTRATIVE PROCEDURE:**

**Section 7032. Not in Good Standing.** Remaining as a member in good standing is what all activities of The League rely upon and paramount to the success of a detachment. All members shall be considered not in good standing in the Marine Corps League if they meet any of the criteria set forth in Section 7030 above. It is the members' responsibility to pay their dues in a timely manner in order to remain as a member in good standing. It is the responsibility of the Commandant to inform the members that this procedure is in place and do everything possible to have all members remain in good standing. It is desirable that any responsible elected or appointed officer submit their resignation to that office if they do not intend to remain a member in good standing.

a. Members not in good standing are subject to the restrictions defined the detachment's and department's bylaws, and unless stated therein otherwise:

(1) No longer have the right to **attend-participate in** any detachment meeting of any Marine Corps League organization. **At the discretion of the Commandant they could be allowed to attend as a guest and thus be-because they are not** "authorized to attend" as stated by the Sergeant-at-Arms at the opening of every meeting.

(a) The Paymaster will provide a list of the members not in good standing to the Sergeant-at-Arms.

(b) The Sergeant-at-Arms will **make note of members who attend the meeting who are-not-allow-attendance-to-the-meeting-by-any-members**-named on the list provided by the Paymaster.

(2) At the discretion of the Commandant or Presiding Officer of the meeting, when the member provides full dues payment to the Paymaster prior to the meeting's opening, they become a member in good standing.

b. Elected or appointed officers **not in good standing shall will** relinquish their title. At the opening of the meeting, the Commandant or Presiding Officer **shall will** announce after Chaplain's prayer before any other business transpires, that the elected or appointed office is now vacant. Furthermore the Commandant or Presiding Officer:

(1) **Shall Will** announce that during this meeting a **new** member in good standing **shall will** be appointed to fill that vacated office as prescribed in the detachment's bylaws and or administrative procedures.

(2) Shall authorize **the and** Sergeant-at-Arms or Adjutant to acquire within three (3) days any and all books, records, and other property of the detachment for which the office of being vacated. These items shall then be delivered to the newly appointed member to that vacated office. At the successful completion of the transfer of items, the **agent Sergeant-at-Arms or Adjutant shall will** report to the Commandant at the next meeting of the organization when these actions took place.

c. ~~**Irrespective of the department or detachment bylaws intended to limit the restrictions and penalties defined in this section,**~~ The Sgt at Arms, when reporting that all present are qualified to remain will add the **names number of the** members who cannot participate in any detachment deliberations.

d. If the member subsequently regains their membership in good standing before being taken off the National rolls, they will have all their member rights reinstated. The vacated elected or appointed office position will not be automatically reinstated. Detachment procedures for electing or appointing officers are then to be followed.

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## COMPLETE SECTION 7032 WITH CHANGES IN BOLD WITHOUT ADDITIONAL HIGHLIGHTING

**Section 7032. Not in Good Standing.** Remaining as a member in good standing is what all activities of The League rely upon and paramount to the success of a detachment. All members shall be considered not in good standing in the Marine Corps League if they meet any of the criteria set forth in Section 7030 above. It is the members' responsibility to pay their dues in a timely manner in order to remain as a member in good standing. It is the responsibility of the Commandant to inform the members that this procedure is in place and do everything possible to have all members remain in good standing. It is desirable that any responsible elected or appointed officer submit their resignation to that office if they do not intend to remain a member in good standing.

e. Members not in good standing are subject to the restrictions defined the detachment's and department's bylaws, and unless stated therein otherwise:

(3) No longer have the right to **participate in** any detachment meeting of any Marine Corps League organization. **At the discretion of the Commandant they could be allowed to attend as a guest and thus be** "authorized to attend" as stated by the Sergeant-at-Arms at the opening of every meeting.

(a) The Paymaster will provide a list of the members not in good standing to the Sergeant-at-Arms.

(b) The Sergeant-at-Arms will **make note of members who attend the meeting who are** named on the list provided by the Paymaster.

(4) At the discretion of the Commandant or Presiding Officer of the meeting, when the member provides full dues payment to the Paymaster prior to the meeting's opening, they become a member in good standing.

f. Elected or appointed officers **not in good standing shall** relinquish their title. At the opening of the meeting, the Commandant or Presiding Officer **shall** announce after Chaplain's prayer before any other business transpires, that the elected or appointed office is now vacant. Furthermore the Commandant or Presiding Officer:

(3) **Shall** announce that during this meeting a member in good standing **shall** be appointed to fill that vacated office as prescribed in the detachment's bylaws and or administrative procedures.

(4) Shall authorize **the** Sergeant-at-Arms or Adjutant to acquire within three (3) days any and all books, records, and other property of the detachment for which the office of being vacated. These items shall then be delivered to the newly appointed member to that vacated office. At the successful completion of the transfer of items, the **Sergeant-at-Arms or Adjutant shall** report to the Commandant at the next meeting of the organization when these actions took place.

g. The Sgt at Arms, when reporting that all present are qualified to remain will add the **number of** members who cannot participate in any detachment deliberations.

h. If the member subsequently regains their membership in good standing before being taken off the National rolls, they will have all their member rights reinstated. The vacated elected or appointed office position will not be automatically reinstated. Detachment procedures for electing or appointing officers are then to be followed.

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## **RATIONALE:**

1. Currently, other than not being allowed to be a delegate at a department or national convention or not being allowed to be an elected or appointed officer, there are no direct, only implied, restrictions imposed on members not in good standing. Too many detachments look the other way when members do not pay their dues by August 31 even after having at least 2 months of reminders.
  2. Currently, there are detachment elected and appointed officers who are members not in good standing. This sets a terrible example for the rest of the members and puts detachments on notice at the department level.
  3. Actions taken (budgets approved, elections, bylaw changes, activity approval, etc.) as a result of members voting who are not in good standing, are subject to criticism by members of opposing views, possibly initiating a reversal procedure, and throwing the detachment into unnecessary turmoil.
  4. Commandants who allow their members to become not in good standing had the responsibility to push for members to pay their dues in June, July or August and are doing a disservice to their detachment by their inaction. This AP makes the Commandant take that responsibility seriously.
  5. Having members not in good standing, diminishes the detachment's strength and influence and the member's ability to be productive in the detachment.
  6. This AP forces the detachment to 'water down' these restrictions in their bylaws and accept the consequences of a weakened membership responsibility.
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Respectfully Submitted,

Dennis Mathias  
Department of North Carolina Judge Advocate  
Charlotte Detachment 750 Member