



MARINE CORPS LEAGUE

Office of the National Judge Advocate

Bruce R. Rakfeldt
2717 Clifford Ray Road
Haw River, NC 27258-8722
brakfeldt@mcleague.org

15 October 2024

To: Chief Operating Officer, Marine Corps League
Subject: Proposed National Bylaw Change

In accordance with the National Administrative Procedures, Chapter Ten, Section 10020, the following is submitted for consideration by the body assembled at the 2025 National Convention.

IRT: National Bylaws Section 520, A, 1

CURRENT:

Section 520. Ineligible for Membership

A. No detachment, may accept as a regular, associate, or any honorary member any person:

1. who is currently incarcerated or on supervised probation for any felony conviction or any misdemeanor conviction; or
2. who has been convicted of a crime where the victim is a child; or
3. whose name has been stricken from the rolls of the MCL.

PROPOSED (Added changes in RED):

Section 520. Ineligible for Membership

A. No detachment, may accept as a regular, associate, or any honorary member any person:

1. who is currently incarcerated or on supervised probation* for any felony conviction or any misdemeanor conviction; or
2. who has been convicted of a crime where the victim is a child; or

3. whose name has been stricken from the rolls of the MCL.

Note * - “**Supervised Probation**” includes Veterans who have entered into the system with the Veterans Treatment Court. Applications from Veterans who are in the Veterans Treatment Court shall not be accept under the NBL and NAP. The primary goal with the Veterans Treatment Court is for the Veterans get the help they need. Once the Veteran successfully fulfilled the requirements from the Veteran’s Treatment Court, the Veteran’s application may be accepted for membership in accordance with the National Bylaws (NBL) and Administration Processors (NAP) of the Marine Corps League.

RATIONALE:

This has been an official National Judge Advocate Ruling dating back to 04 January 2024. This ruling is in the Member Library section of our website however, it is easily overlooked as members are searching our National Bylaws and Administrative Procedures for the answers they need (located at the very top of the page) and the Rulings are in a totally different section much lower on the same page. Since this ruling is already a de facto policy, formally incorporating it into our National Bylaws would provide clarity and ensure consistent adherence. The official ruling has been attached as reference as well.

Respectfully submitted,

Bruce R. Rakfeldt,
National Judge Advocate
Marine Corps League



MARINE CORPS LEAGUE

Office of the National Judge Advocate

David Porter
50 Clark St.
Medford, MA 02155-4474
dporter@mcleague.org

04 January 2024

From: David Porter, National Judge Advocate, Marine Corps League, INC.

To: All Marine Corps League Divisions
All Marine Corps League Departments
All Marine Corps League Detachments

Subj: Ruling on Veterans who are applying for membership while they are currently in the system of the Veterans Treatment Court.

Ref: (a) National Bylaws (NBL)
(b) National Administrative Procedures (NAP)

1. Veterans who have entered into the system with the Veterans Treatment Court are considered to be on supervised probation. Applications from Veterans who are in the Veterans Treatment Court shall not be accepted under the NBL and NAP. The primary goal with the Veterans Treatment Court is for the Veterans get the help they need. Once the Veteran successfully fulfilled the requirements from the Veteran's Treatment Court, the Veteran's application may be accepted for membership in accordance with the National Bylaws (NBL) and Administration Processors (NAP) of the Marine Corps League.

2. NBL Chapter V, Section 520. Ineligible for Membership (pg. BL-11)

- A. No detachment, may accept as a regular, associate, or any honorary member any person:
1. who is currently incarcerated or **on supervised probation** for any felony conviction or any misdemeanor conviction; or
 2. who has been convicted of a crime where the victim is a child; or
 3. whose name has been stricken from the rolls of the MCL.

B. If after a member has been accepted, the fact that the member has been convicted of a crime where the victim is a child is discovered, any member may file a disciplinary charge in accordance with NAP, Chapter Nine. The age/date of the conviction is irrelevant.

3. NAP: Chapter 6, Section 6030. Members (pg. AP6-4)

A. Each detachment shall be the sole judge of its membership, providing said person meets the requirements of National Bylaws Article V, Section 515. **No detachment, however, may accept as a member any person who is currently incarcerated or on supervised probation** for any felony conviction or any misdemeanor conviction which has resulted in incarceration of more

than two years and who is currently incarcerated or serving active probation as a result of a sentence imposed by any court of competent jurisdiction. No detachment may accept for membership any person who has been convicted of a crime where the victim is a child. No detachment shall accept for membership any person whose name has been stricken from the rolls of the MCL.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David M. Porter Jr.", is centered below the text "Respectfully submitted,".

David M Porter Jr,
National Judge Advocate
Marine Corps League
617-851-1279
dporter@mcleague.org