



Department of North Carolina

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1 April 2026

To: Marine Corps League National COO Bob Borka
National Board of Trustees
From: William E. Brown, MCL Life Member #60939

Subj: **Proposed Amendment to the National Administrative Procedures , Article Nine, Section 9000 d**

In accordance with the National Bylaws Article XI, Sections 1120, and National Administrative Procedures Section 10020 the following is submitted for consideration by the body assembled at the 2026 National Convention.

CURRENT LANGUAGE:
SECTION 9000 – DEFINITIONS

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d. Disciplinary Charges. A disciplinary charge is a formal accusation that a member, detachment, or department has violated the Bylaws or Administrative Procedures of the MCL and disciplinary punishment is sought. The charges shall reference the subsection of Section 9040 or Section of the NBL violated. Use the latest version of the Disciplinary Charge Form, located in the Member Library, to prepare the disciplinary charge(s).

(1) A disciplinary charge shall specify:

- (a) what is alleged to have occurred,
- (b) when it was alleged to have occurred,
- (c) where it was alleged to have occurred,
- (d) the names of the parties and witnesses, and
- (e) such other supporting information as may be necessary to adequately inform the respondent, so a defense may be prepared.

(2) Detachments do not have any disciplinary jurisdiction upon any member.

PROPOSED LANGUAGE (Revisions in RED):
SECTION 9000 – DEFINITIONS

...

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- (d) the names of the parties and witnesses, and
- (e) such other supporting information as may be necessary to adequately inform the respondent, so a defense may be prepared.

(2) Where there is knowledge of the intent to file disciplinary charges with the jurisdictional JA but has not occurred, action must be considered by the detachment to attempt to mediate the problem.

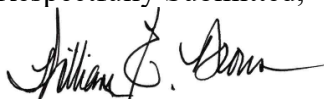
(a) Where mediation has been attempted at the detachment level, a summary of the actions taken shall be provided to the jurisdictional JA by the detachment commandant. This is merely relevant information to preclude the start again at ground zero.)

(b) Examples might include: the detachment JA initiated an informal fact gathering investigation; obtained an outside, impartial disinterested regular member in good standing from another detachment acceptable to both the petitioner and respondent to serve as mediator; the mediator met with witnesses; had face-to-face meeting with both parties. The summary should exclude personal comment without any perceived assumptions, which could be interpreted as pre-judging outcomes. That will be determined when and if the Hearing Board is convened and held to formally adjudicate the disciplinary charges.

(3) Detachments do not have any disciplinary jurisdiction upon any member.

CHANGE RATIONALE: Every possible effort should be made to resolve indifferences, even when there may have been rules that have been ignored. Is the event so egregious that disciplinary action with resulting punishment of suspension, expulsion, or simple reprimand of the individual necessary to preclude recurrence or to right the situation. In many cases where there is sufficient evidence and relative information that would likely be disclosed the intended respondent may choose to resign (sometimes, with prejudice), without ever formal submission of the disciplinary charges. Working things out “in house” is always the first option to pursue.

Respectfully Submitted,



William E. “Bill” Brown
Department of North Carolina Judge Advocate
Past Commandant, Air, Land NC Detachment 1257 Life Member