

## SPECIAL ORDER INITIATING DISCIPLINARY ACTION

Special Order No. \_\_\_\_\_ Date: \_\_\_\_\_

Headquarters, VFW Post No. (or Department) \_\_\_\_\_

To: <Insert Accused Name & Address>

Please be advised that 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) and Request for Mediation/Hearing (DA-6).

Pursuant to Article IX of the By-Laws and Manual of Procedure, you are advised that you may request a Disciplinary Hearing with or without Mediation by using the attached form DA-6, Request for Mediation/Hearing. To request a hearing with or without mediation, you must notify:

<Insert Name of Commander (Initiating Officer) & Address>

in writing, within fifteen (15) days of the date that this order and the Charges and Specifications attached to this order were received by registered or certified mail or either personally delivered to you. If not using Form DA-6, the notification must specifically state that a Disciplinary Hearing with or without mediation is requested and mailed via **Registered or Certified Mail**. If you do not request a Disciplinary Hearing with or without mediation within the time stated, disciplinary penalties may be imposed without a hearing. Those penalties may include termination or suspension of membership and relief from office.

By order of \_\_\_\_\_  
Commander(Initiating Officer)

\_\_\_\_\_  
Post Name & 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.

Official:

\_\_\_\_\_  
Initiating Officer (Name & Signature)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Adjutant (Name & Signature)

\_\_\_\_\_  
Date

(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**

Special Order No. \_\_\_\_\_ Date: \_\_\_\_\_

Headquarters, VFW Post No. (or Department): \_\_\_\_\_

In Accordance with the provision of section 903 of the National By-Laws and Manual of Procedure, the following Disciplinary Panel is hereby assigned:

**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.

The following have been identified as participants in the hearing:

Comrade \_\_\_\_\_ of Post No. \_\_\_\_\_, Prosecutor

Comrade \_\_\_\_\_ of Post No. \_\_\_\_\_, Defense Counsel

The Disciplinary Hearing Panel shall convene at \_\_\_\_\_

\_\_\_\_\_ on \_\_\_\_\_, 20\_\_\_\_, oras

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

By order of: \_\_\_\_\_  
Commander (as appropriate)

\_\_\_\_\_  
Post Name & Post No. (or District or Department as appropriate)

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: \_\_\_\_\_  
(Guilty or Not Guilty)

OR

On Charge 1, Specification 1: \_\_\_\_\_

On Charge \_\_\_\_\_, Specification \_\_\_\_\_ :

On Charge \_\_\_\_\_, Specification \_\_\_\_\_ :

On Charge \_\_\_\_\_, Specification \_\_\_\_\_ :

On Charge \_\_\_\_\_, Specification \_\_\_\_\_ :

On Charge \_\_\_\_\_, Specification \_\_\_\_\_ :

On Charge \_\_\_\_\_, Specification \_\_\_\_\_ :

On Charge \_\_\_\_\_, Specification \_\_\_\_\_ :

On Charge \_\_\_\_\_, Specification \_\_\_\_\_ :

The panel imposed the following sentence: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Prosecutor (Name & Signature)

\_\_\_\_\_  
President of the Panel (Name & Signature)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Accused or his counsel (Name & Signature if present)

Note: In the event the accused is not present, a copy of the Findings and Sentence shall be mailed to the accused 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. \_\_\_\_\_, Panel Member  
Comrade \_\_\_\_\_ of Post No. \_\_\_\_\_, Panel Member  
Comrade \_\_\_\_\_ of Post No. \_\_\_\_\_, Panel Member  
Comrade \_\_\_\_\_ of Post No. \_\_\_\_\_, Panel Member  
Comrade \_\_\_\_\_ of Post No. \_\_\_\_\_, Panel Member  
Comrade \_\_\_\_\_ of Post No. \_\_\_\_\_, Panel Member  
Comrade \_\_\_\_\_ of Post No. \_\_\_\_\_, Panel Member

### ABSENT

Comrade \_\_\_\_\_ of Post No. \_\_\_\_\_, \_\_\_\_\_  
Comrade \_\_\_\_\_ of Post No. \_\_\_\_\_, \_\_\_\_\_  
Comrade \_\_\_\_\_ of Post No. \_\_\_\_\_, \_\_\_\_\_

The accused received notice of the Charges and Specifications in accordance with Section 903(b) and requested a hearing. Yes \_\_\_\_ No \_\_\_\_

The following panel members were peremptorily challenged and excused:

(By the prosecution) \_\_\_\_\_

(By the defense) \_\_\_\_\_

Challenges for cause were made by the prosecution to panel member(s):

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

Challenges for cause were made by the defense to panel member(s):

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

Accused (or Defense Counsel) stated that he had no objection to trial by any member remaining on the panel. Yes \_\_\_\_ No \_\_\_\_

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

On Charge 1, Specification 1: \_\_\_\_\_

On Charge \_\_\_\_\_, Specification \_\_\_\_\_ :

On Charge \_\_\_\_\_, Specification \_\_\_\_\_ :

On Charge \_\_\_\_\_, Specification \_\_\_\_\_ :

On Charge \_\_\_\_\_, Specification \_\_\_\_\_ :

On Charge \_\_\_\_\_, Specification \_\_\_\_\_ :

On 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? Yes \_\_\_\_ No \_\_\_\_

An argument was made by the Defense Counsel on behalf of the accused? Yes \_\_\_\_ No \_\_\_\_

The accused took the witness stand in own defense? Yes \_\_\_\_ No \_\_\_\_

The accused was present at the trial? Yes \_\_\_\_ No \_\_\_\_

\_\_\_\_\_  
President of the Panel Name & Signature

## **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

\_\_\_\_\_ a hearing without pre-hearing Mediation.

\_\_\_\_\_ no hearing.

\_\_\_\_\_  
Accused Name & Signature

\_\_\_\_\_  
Date

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

## 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.

\_\_\_ An agreement has been reached.

The penalties imposed as a result of mediation are as follows: \_\_\_\_\_

---

---

---

---

---

---

---

---

---

---

All parties concerned understand that this form 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. The agreed upon penalty is not subject to appeal.

\_\_\_\_\_  
(Mediation Officer)

\_\_\_\_\_  
(Initiating Officer)

\_\_\_\_\_  
(Accused)