

## CHANGES TO CODE OF DISCIPLINARY REGULATIONS August 2007

### DEFINITIONS

<b><u>Member in Good Standing</u></b>	<p><u>An ACBL member shall be deemed to be in “good standing” when such member's dues, if dues <i>are</i> required, are current and such member is not currently:</u></p> <p><u>expelled,</u></p> <p><u>serving a term of suspension,</u></p> <p><u>serving indefinite probation,</u></p> <p><u>serving a probation the initial term of which was twenty-four or more months or</u></p> <p><u>serving a term of probation following a suspension, the initial term of which was in excess of ninety days.</u></p> <p><u>A member who is not in good standing as defined herein shall not be entitled to serve in any elected or appointed position in ACBL.</u></p>
<b><u>Month</u></b>	<p><u>For the purposes of the CDR, a month is equal to thirty (30) days.</u></p>

#### 4.1.2

c. During the entirety of a probationary period which is greater than ninety (90) days, a member shall not be eligible to direct a sanctioned masterpoint game unless specifically authorized by ACBL Management or the ACBL Board of Directors.

~~(1) shall not be eligible to participate in international team trials conducted and sponsored by the ACBL; and~~

~~(2)~~

#### 5.2.3 A person charged with a violation of CDR 3 shall be entitled to:

- (a) Receive written notice of the date, time, and place of hearing. Should a person admit to a charge, a hearing shall be held in order to determine and impose appropriate discipline.
- (b) Be furnished with a written statement of the charge(s), the complaint upon which the charges are based or a summary of the facts of said complaint, and the name of the complainant(s).

- (c) Be represented by another person.
- (d) Produce evidence and make statements on his/her own behalf.
- (e) Be present during the entire hearing, except during procedural determinations and deliberation on verdicts and sentencing.
- (f) Question persons testifying through the Chair at the Chair's discretion.

5.3.6 A person charged with a violation under CDR 3 shall be entitled to (See CDR 6.1 and 6.2 following):

- (a) Receive written or oral notice of date, time and place of hearing. Should a person admit to a charge, a hearing shall be held in order to determine and impose discipline.
- (b) Be provided a written statement of the charge(s), the complaint upon which the charges are based or a summary of the facts of said complaint, and the name of the complainant(s).
- (c) Be represented by another person.
- (d) Produce evidence and make statements on his or her behalf.
- (e) Be present during the entire hearing, except during procedural determinations and deliberation on verdicts and sentencing.
- (f) Question persons testifying through the Chair, and at the Chair's discretion.

2.1.7 Except for CDR 2.1.1 (d) and 2.1.6, units, districts and ACBL have no jurisdiction over *behavior at club sponsored games*. If the unit, district or ACBL is the sanction holder, club manager or club board of directors, the unit, district or ACBL has the same jurisdiction and authority over *behavior* as any other sanction holder, club manager or club board of directors.

Discussion: The definition of a month was added to ensure consistency such that a probation of three months would be the same regardless of the calendar months during which the sanction was served.  
The definition of Member in Good Standing was added as it may be significant information for a disciplinary body to consider when imposing discipline.

4.1.2 (c) was deleted as it belongs in item 042-65. Another agenda item amends 042-65.

5.2.3 and 5.3.6 were amended in order that a charged person be better able to defend a charge. For example, it is not enough to tell a person that the charge is 3.7 Actions or behavior unbecoming a person participating in an ACBL sanctioned tournament or event. The person charged needs to know what behavior and where and when as he or she may not have been aware that someone had been offended.

2.1.7 This has been added to clarify the issue of authority when a unit, district or ACBL operates a club at which the club games are sanctioned by ACBL. The unit, for example, has no authority other than that which any other club manager or board would have.