

## Trial and Discipline Reminders

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### References:

- ▲ National Bylaws
- ▲ National Policies and Procedures
- ▲ Individual Discipline Policy

### Executive Trial

Executive Trials are meant to reduce the amount of Chapter Trials that the entire chapter has to conduct. Since these trials are conducted by a small number of members in the chapter, the charges that can be preferred for an Executive Trial are limited. An Executive Trial is conducted by pre-determined chapter executive officers and can only be used for charges relating to financial obligation and non-participation, which are based on the records of the Vice President-Finance and Vice President- Chapter Operations. The Executive Trial Committee must vote on both guilt and penalty for each accused member. Any of the penalties outlined in the National Bylaws may be assessed. Outcomes of Executive Trials may be appealed to the chapter, which then conducts a Chapter Trial.

### Chapter Trial

Chapter trials are meant to be used for severe offenses committed by members or for members to appeal Executive Trial decisions. A Chapter Trial is conducted by the entire chapter and can be used for any offenses outlined in the National Bylaws. The chapter must vote on both guilt and penalty for each accused member. Any of the penalties may be assessed.

### Step-By-Step For Conducting an Executive Trial

- Step 1 - Brother Prefers Charges in Writing to the Chapter President
- Step 2 - The Executive Committee Decides On Validity of the Trial and Which Type of Trial to Conduct
- Step 3 - The Trial Secretary Notifies the Accused of the Executive Trial
- Step 4 - The Executive Trial Committee Conducts the Executive Trial
- Step 5 - Trial Secretary Officially Notifies the Accused of the Executive Trial Results
- Step 6 - Trial Manager Notifies the Chapter of Executive Trial Results
- Step 7 - Submit Trial Information through the Members Module of the Hub at [www.dsp.org](http://www.dsp.org)
- Step 8 - Keep All Trial Documents in Case of an Appeal

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**Penalties**

- REPRIMAND - A reproof given in the form of a formal censure intended to correct a fault and given orally and in writing to the member being reprimanded.
- FINE - A sum of money paid by the member. The specific amount and due date for payment must be set in the motion adopting the fine.
- PROBATION - A period of time during which the member must meet certain specific obligations or requirements determined by the chapter or Fraternity Board of Directors. The specific conditions of the probation must be included in the motion approving the probation. National Fraternity dues are still owed for any brother on probation.
- SUSPENSION - Temporary removal of the member from office and privileges; the member is no longer recognized as a participating member and not allowed to attend any Fraternity function. The specific length of time of the suspension must be stated in the motion. National Fraternity dues are still owed for any brother on suspension.
- EXPULSION - The accused is no longer a member of Delta Sigma Pi.

**Voting in Trials**

Penalty	Executive Trial Committee	Chapter Trial	Board Appointed Trial Committee	Board Trial
Reprimand	Majority	Majority	Majority	Majority
Fine	Majority	Majority	Majority	Majority
Probation	Majority	Majority	Majority	Majority
Suspension	Majority	Majority	Majority	Majority
Expulsion	Unanimous	Four-fifths	Unanimous	Three-fourths

**Submitting Trial Information**

Once the trial is completed, the Trial Secretary is responsible for preparing all the necessary documents and submitting required information to the Central Office. The Trial Secretary must report all trials through the Members Module of the Hub by the 15<sup>th</sup> of the month following the trial. The following information will need to be reported for each member’s trial:

- Date of Trial(s)
- Accused Member’s Chapter and Roll Number
- Accused Member’s First and Last Name
- Type of Trial or Appeal

- Charge(s) and Specifics for Each Accused Member
- Plea of Accused for Each Charge
- Results of Guilt Vote for Each Charge
- Penalty Assessed, if any
- Details of Penalty

### **Documents to Retain**

A 60 day appeal period is available to anyone who is found guilty in a trial. Chapters should keep copies of all trial documents for at least 6 months after a trial. If 6 months have passed and no appeal has been received by the Chapter President, the documents should be destroyed. The following documents should be retained in case of an appeal by a member:

- Original letter preferring charges
- Copy of the letter of notification to the accused
- Copy of any proof of mailing and/or delivery of notification to the accused
- Minutes from trial meeting
- Copy of any documents used as evidence during the trial
- The declaration signed by the accused admitting guilt. (This document would be retained only if the accused signed a declaration.)
- Copy of notification of trial results to accused