

**SPECIAL ORDER INITIATING DISCIPLINARY ACTION**

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

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

To:

\_\_\_\_\_

Please be advised that a disciplinary action has been initiated against you pursuant to Article IX of the Bylaws 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), signed incident report, the investigative report, and Request for Hearing (DA-6).

Pursuant to Article IX of the Bylaws and Manual of Procedure, you are advised that you may request a Disciplinary Hearing by using the attached form DA-6, Request for Hearing. To request a hearing, 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 is requested and mailed via **Registered or Certified Mail**. If you do not request a Disciplinary Hearing 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.

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

Official:

\_\_\_\_\_  
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 Bylaws 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\_\_\_\_\_, or as

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 member(s) were challenged (for cause) and excused:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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 they 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 they had read the charges and 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 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 in accordance with Section 903 of the National Bylaws and Manual of Procedure.

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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).

**Notification of Penalty (No Hearing Requested)**

(Insert Date)

(Accused Name), Member  
VFW Post XXXX  
Address 1  
City, State, ZIP

*Certified Mail Return Receipt Requested  
No.*

Comrade (Accused Name):

Special Order No. XXXX initiated an Article IX Disciplinary Action against you. The order, along with the required copies of the Charges and Specifications (Form DA-2), signed incident report, the investigative report, and Request for Hearing (DA-6) were sent to you certified mail, return receipt requested pursuant to Section 903 of the VFW Manual of Procedure. You were advised that you may request a Disciplinary Hearing by using the form DA-6, Request for Hearing; you failed to do so.

As such, and in accordance with Section 903 of the VFW Bylaws, In the event that the accused member does not properly request a Disciplinary Hearing within fifteen (15) days or, prior to the expiration of the fifteen (15) day period, advises the Commander or the designated member initiating the action that a hearing is not desired, the Commander or the designated member initiating the charges, may take such action as is deemed appropriate including the ordering of any penalties prescribed in Section 907.

Therefore, I have ordered with concurrence of the Post the penalty of (state penalty; if desired you may add the reason for your penalty, but it is not required.)

With respect to appeals from the imposition of penalties where no hearing was properly requested, you shall be entitled to appeal only the severity of the penalty and not the commission of the offense. You must do so within thirty (30) days from the date of this order and mailed, certified mail, return receipt requested to:

<Department Commander's Name and Address>

All appeals must meet the requisites of Section 904 of the VFW Manual of Procedure.

By order of: \_\_\_\_\_  
Commander (date)

\_\_\_\_\_  
Post No.

Official: \_\_\_\_\_  
Adjutant (date)

cc:  
Department Adjutant



**NOTIFICATION OF PENALTY (NO HEARING REQUESTED)**

(Insert Date)

(Accused Name), Member  
VFW Post XXXX  
Address 1  
City, State, ZIP

*Certified Mail Return Receipt Requested  
No.*

Comrade (Accused Name):

Special Order No. XXXX initiated an Article IX Disciplinary Action against you. The order, along with the required copies of the Charges and Specifications (Form DA-2), signed incident report, the investigative report, and Request for Hearing (DA-6) were sent to you certified mail, return receipt requested pursuant to Section 903 of the VFW Manual of Procedure. You were advised that you may request a Disciplinary Hearing by using the form DA-6, Request for Hearing; you failed to do so.

As such, and in accordance with Section 903 of the VFW Bylaws, In the event that the accused member does not properly request a Disciplinary Hearing within fifteen (15) days or, prior to the expiration of the fifteen (15) day period, advises the Commander or the designated member initiating the action that a hearing is not desired, the Commander or the designated member initiating the charges, may take such action as is deemed appropriate including the ordering of any penalties prescribed in Section 907.

Therefore, I order the penalty of (state penalty; if desired you may add the reason for your penalty, but it is not required.)

With respect to appeals from the imposition of penalties where no hearing was properly requested, you shall be entitled to appeal only the severity of the penalty and not the commission of the offense. You must do so within thirty (30) days from the date of this order and mailed, certified mail, return receipt requested to:

Commander-in-Chief  
VFW National Headquarters  
406 W. 34<sup>th</sup> Street  
Kansas City, MO 64111

All appeals must meet the requisites of Section 904 of the VFW Manual of Procedure.

By order of: \_\_\_\_\_  
Commander (date)

\_\_\_\_\_  
Department

Official: \_\_\_\_\_  
Adjutant (date)

cc:  
Adjutant General