**Section 1. General procedures.**

1. Any club, individual member, regional board, or LV DVG America may bring charges against any individual member or club for

A. Conduct harmful to the interests of DVG, LV DVG America, a region or any club

B. Major violations of the by-laws of any region, LV DVG America, or DVG

C. Major violations of the training rules of DVG.

2. Charges must be filed within six months of the date of alleged misconduct or from the time the misconduct was known or reasonably should have been known to have occurred.

3. Filing fees will be refunded if the charges are sustained.

4. The President and Secretary of LV DVG America as well as the President and Secretary of a region may file on behalf of LV DVG America or the region without a filing fee.

5. No DVG Judge or LRO is subject to disciplinary proceedings under these provisions for alleged acts committed in good faith while performing the functions of his or her office. All complaints against judges must be made under the laws and regulations of DVG.

6. Disputes between members and the organization: No member who has a dispute with the organization or its Board, any judge, or the result of any competition has a right to a trial by jury in any court of any jurisdiction. All disputes will be handled by the organization, according to internal procedures. By joining the organization, members waive any right to a jury trial or other legal recourse. While members may be represented by an attorney, should they desire, all members agree that any dispute will be held confidentially and in the highest regard for the welfare of the organization. Following resolution of a dispute, neither the organization nor an effected member(s) may disparage the other or make any comment in public that would harm the reputation or the best interests of the other.

**Section 2. Charges filed with a region and appeal of regional decisions**

1. Charges may be filed with a region, according to the procedures established by that region.

2. For complaints filed with a region, either party may appeal the region’s decision to the Board of LV DVG America. Any appeal of a region’s decision must be accompanied by a $100.00 fee. Whichever party appeals the region’s decision must give written notice of appeal to the LV DVG America Secretary within 30 days of the regional board’s decision.

3. The LV will not hear any matter that is the subject of an ongoing court case until that matter has concluded.

4. The LV Board reviews the record of the case, including the region’s record of its actions in the case. At its discretion, the Board can decide to uphold the region’s decision or to hold a hearing to consider the matter. The LV must make this initial decision within 45 days of receiving the appeal. If the LV holds a hearing, both parties must be given the opportunity to be heard. At its discretion, the Board may allow testimony from witnesses either in person or by sworn affidavit. The accused party may have counsel during any appeal hearing at his or her own expense. The Board may conduct the appeal hearing by telephone conference. The appeal does not consider new evidence; rather it is a review of the evidence that has been presented to the region and of the region’s processing of the appeal.

5. Within 30 days of the hearing, the Board must issue a written decision, setting forth its factual findings and whether there is clear and convincing evidence that the accused party is guilty of the violation which is the subject of the complaint. The Secretary must send a copy of these findings by US Mail to both parties and to the president of the region in which the complaint originated. The Board may sustain, reverse, or modify a decision of the region and any penalty imposed by the region. The decision of the Board is final, subject to approval by DVG in accordance with DVG bylaws.

 6. If at any point in this process the Board needs additional material from the region or from one of the principals regarding the matter, the clock stops from the date of the Board’s request until the Board gets the required information.

7. If there is new evidence regarding a complaint filed with a region, the board of the region, at its discretion, may hold a new hearing on the complaint.

**Section 3. Charges filed with the LV against an individual**

1. Any individual, club, or region may submit charges against an individual member directly to LV DVG America by filing a notarized complaint with the secretary of LV DVG America and paying a $100 fee to the Treasurer of the LV.

2. The secretary must send the accused member notice within 15 days of when the LV receives the complaint.

3. The Board may dispose of the complaint before a hearing if the Board believes there are no grounds for the complaint. If the Board believes there are grounds, it schedules a hearing on the complaint. The LV must make this initial decision within 45 days of receiving the complaint.

4. The Board may appoint a special investigator to help it evaluate the complaint and any facts regarding the complaint. The special investigator is not necessarily a member of LV DVG America, but could be someone with specific expertise~~.~~

4. After receiving notice, the accused ~~must have~~ has up to 30 days to respond before the hearing set by the Board.

5. If the Board needs to request more information, the clock stops until the Board gets the needed information.

6. At the hearing, the accused and the complainant both have an opportunity to be heard and present evidence relevant to the charges. Both parties have the right to counsel at their own expense. The Board may hold the hearing by telephone conference, video conference, or other electronic means. The Board may receive evidence from witnesses or by sworn affidavit, at its discretion.

7. The Board considers the charges and issues a written decision and findings of fact within 30 days of the hearing. The Secretary must send a copy of the decision and findings to the president of the region and to the individual within 10 days of the Board’s decision. The decision of the LV Board is final, subject to approval by DVG in accordance with DVG by-laws.

**Section 4. Charges filed with the LV against a club or region**

1. Any individual, club, or region may submit charges against a club or region directly to LV DVG America by filing a notarized complaint with the secretary of LV DVG America and paying a $250 fee to the Treasurer of the LV.

2. The Board must consider the complaint within 45 days and take appropriate action by:

A. dismissing the complaint for lack of grounds

B. finding that reasonable grounds do exist for the charges

C. appointing a special investigator for the Board to further investigate the charges and report to the Board. The special investigator is not necessarily a member of LV DVG America, but could be someone with specific expertise. The investigator must complete his report within 90 days of the Board meeting and the Board must evaluate the report at its next meeting and decide whether reasonable grounds do exist for the complaint.

3. If the Board finds reasonable grounds for the complaint, it schedules a hearing on the matter no sooner than 30, nor more than 90 days following its finding. If the Board schedules a hearing, the Secretary must notify the president and secretary of the accused club or region in writing, within 10 days of the Board’s finding that reasonable grounds exist for the charges. The Secretary should include a copy of the complaint with the notice.

4. At the hearing, the accused club or region and the complainant both have an opportunity to be heard and present evidence relevant to the charges. Both parties have the right to counsel at their own expense. The president of the club or region or the club or region’s designee speaks for the club or region. The Board may hold the hearing by telephone conference, video conference, or other electronic means. The Board may receive evidence from witnesses or by sworn affidavit, at its discretion.

5. Upon hearing all evidence, the Board considers the charges and issues a written decision and findings of fact within 30 days of the hearing. . The Secretary must send a copy of the decision and findings to the accused and to the president of the region (if the accused is a club) within 10 days of the Board’s decision. The decision of the LV Board is final, subject to approval by DVG in accordance with DVG by-laws.

**Section 5. Penalties**

1. The following penalties may be imposed by a region or by the LV DVG America Board if any accused party is found guilty of the charges:

A. warning,

B. reprimand,

C. fines up to four hundred dollars ($400.00) for each offense

D. suspension from all official functions of DVG for a specified period, dating from the day of the act or from any date after the act fixed by the region or LV DVG America Board.

E. expulsion from DVG.

2. The decision of the LV Board regarding penalties is final, subject to appeal to DVG in accordance with DVG by-laws.