



CHARGING PARTY CHECKLIST

SECTION ONE: (You must answer **YES** to all of the following in Section One to proceed with Charges to disciplinary committee.)

YES ___ NO ___ Did you receive a written Complaint from one of the following: (i) an ACBL member; (ii) a non-member playing in an ACBL sanctioned event; or (iii) a Unit, District, or National Recorder?

YES: Continue. NO: Contact the Office of National Recorder for consultation.

YES ___ NO ___ Are you the Charging Party for your organization (Unit or District President or appointed Charging Party)?

YES: Continue NO: Forward to Recorder@acbl.org to be redirected to the proper jurisdiction.

YES ___ NO ___ Was the Complaint received within 180 days of the incident? (CDR 5.2.1)

YES: Continue NO: Proceed to Section Three.

YES ___ NO ___ Does the body that you represent have jurisdiction over this matter? (CDR 2)

YES: Continue NO: Forward to Recorder@acbl.org to be redirected to the proper jurisdiction.

Unit Charging Party must be able to answer “yes” to at least one of the following to have jurisdiction (CDR 2.1.1):

- the subject of the Complaint is a member of your Unit and was participating in an ACBL sanctioned event or activity at the time of the incident; or
- the incident occurred at an ACBL sanctioned event or other activity held within the geographical boundaries of your Unit; or
- the incident occurred at a Unit Sponsored Club that belongs to your Unit; or
- the incident occurred at a club within your Unit where the club hosted a Unit, District, or ACBL sponsored event (e.g., GNT, NAP, STaC, ACBL-wide game, etc.); or
- the allegation in the Complaint from an incident at a club game held within your Unit included 1) cheating by use of signals, 2) other unauthorized information, or 3) a serious breach of ethics.

District Charging Party must be able to answer “yes” to the following to have jurisdiction (CDR 2.1.2):

- the incident occurred at an ACBL sanctioned event or activity held within the geographic boundaries of the District you represent.

YES ___ NO ___ Is there evidence in the Complaint that is sufficient to establish the fact(s) in question that, if true, manifest a CDR violation?

YES: Continue NO: Notify the reporter that the matter will be investigated by the local Recorder, then continue with next step following completion of investigation.

_____ Email the Complaint to your local Recorder to investigate the matter by at least talking to the reporter and subject.

_____ Receive and review the investigation report from your Recorder. Apply your commonsense judgement to a review of the facts as alleged by the reporter. You may accept or reject the local Recorder’s recommendation or consider it with whatever weight you choose to give it. You are not making a determination of guilt at this time. You are judging whether the Complainant has set out a set of facts that are a CDR violation. The disciplinary committee will ultimately determine who or what to believe and who is culpable.

YES ___ NO ___ If the Charged Party is ultimately found responsible for the CDR violation, would the Disciplinary Body be obligated to issue a discipline? (i.e., is there a relevant Grounds for Discipline in CDR 3)

YES: Continue NO: Forward it to the Recorder for proper recording. Notify the reporter that Charges will not be filed.

SECTION TWO: (You have decided to proceed with Charges to a disciplinary committee)

- _____ Consult CDR 3: Grounds for Discipline to determine what violation occurred based on the facts in the Complaint.
- _____ Complete a [Charge Letter](#) and email (or mail) it with the attached Complaint to the proper Disciplinary Committee Chair. Confirm receipt.
- _____ Continue to gather evidence, testimonies, etc., if necessary, to prosecute the case at the hearing. (Note: may include Recorder interviewing other witnesses or gathering other documentary evidence such as a video recording or hand records.)
- _____ Receive a Notice of Hearing from the Disciplinary Committee Chair.
- _____ Determine whether to appoint an Advocate or Presenter to represent you at the hearing.

SECTION THREE: (Only if Direct Complaint received by you > 180 days following incident)

- _____ Notify the reporter that Charges will not be brought because it was not timely submitted. Forward the matter to the Recorder to investigate in accordance with the Recorder Regulations.

SAMPLE EMAIL TO REPORTER

WHEN CHARGES WILL NOT BE FILED

To: [Name of Reporter]

From: [insert your name], as Charging Party

Subject: Complaint against [insert subject's name]

I received your complaint against [name] dated [date of complaint]. Your complaint has been sent to the [Unit or District] Recorder and the Office of National Recorder for proper recording. Charges will not be filed against [accused party] because the complaint [choose relevant reason:] [was not received within 180 days of the incident] [does not include sufficient facts to indicate that a CDR violation occurred] [a disciplinary committee would not be obligated to impose discipline if this person was found responsible for the actions you have reported].

The CDR can be found at <http://www.acbl.org/cdr>. Please let me know if you have any questions.

Sincerely,

[Name and Title]

Cc: Office of National Recorder (Recorder@acbl.org)
[Name], [Unit or District] Recorder