

Grand Aerie Fraternal Order of Eagles



2022 Convention Judiciary Committee

William M. "Bill" Isaacs Aerie #3031 Dayton, OH – Chairman
Steven M. LaPierre Aerie #477 Leominster, MA – Co Chairman
Ralph E. Arnold Aerie #4538 Foothills, AZ
Jayc Powell Aerie #2811 Santa Fe, NM
Hoyt Williams Aerie #4283 Oshkosh, NE
David Zemer Aerie #3634 Michigan Center, MI
Bill Schramm Aerie #2051 Wellington, OH

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Constitution

Item No.	Article No. Section		Submitted By:	Recommendation:

Statutes

[illegible]

OFFICIAL FORM

PROPOSED AMENDMENT TO CONSTITUTION AND/OR STATUTES
GRAND AERIE, FRATERNAL ORDER OF EAGLES

CONSTITUTION _____ ARTICLE NO. _____ SECTION _____

STATUTE X SECTION 39.4 (a)

AMEND X NEW ARTICLE/SECTION _____

DELETE _____ ADDED X

CURRENT LAW (State exactly as is now):

Section 39.4. (a) The Grand Worthy President shall commission an Agent/Receiver to represent a suspended Aerie. The Agent/Receiver is vested with all the powers of the Trustees and all other Aerie Officers and members, including but not limited to the authority to act on behalf of the Aerie in all legal and governmental matters. The Agent/Receiver shall collect all dues, and pay all debts of the Aerie, including per capita tax. The Agent/Receiver shall file written reports and shall account for all funds in the manner prescribed by the Grand Worthy President. The Agent/Receiver shall have the authority to issue suspensions from membership for a period of up to ninety (90) calendar days.

The Agent/Receiver shall serve until his commission is withdrawn by the Grand Worthy President.

PROPOSED CHANGE (As it will appear in the Constitution and/or Statutes):

Draw a line through words deleted. Underline all added words.

Section 39.4. (a) The Grand Worthy President shall commission a member of the Fraternal Order of Eagles ~~as~~ an Agent/Receiver to represent a suspended Aerie. The Agent/Receiver is vested with all the powers of the Trustees and all other Aerie Officers and members, including but not limited to the authority to act on behalf of the Aerie in all legal and governmental matters. The Agent/Receiver shall collect all dues, and pay all debts of the Aerie, including per capita tax. The Agent/Receiver shall file written reports and shall account for all funds in the manner prescribed by the Grand Worthy President. The Agent/Receiver shall have the authority to issue suspensions from membership for a period of up to ninety (90) calendar days.

The Agent/Receiver shall serve until his commission is withdrawn by the Grand Worthy President.

EXPLANATION AND PURPOSE OF CHANGE:

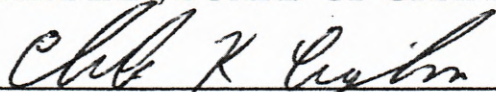
To clarify that an Agent/Receiver must be a member of the F.O.E. before they can be commissioned as such.

Date: July 27, 2022

Submitted by Board of Grand Trustees

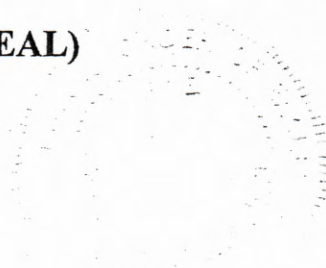


CHAIRMAN, BOARD OF GRAND TRUSTEES



GRAND SECRETARY

(SEAL)



OFFICIAL FORM

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PROPOSED AMENDMENT TO CONSTITUTION AND/OR STATUTES
GRAND AERIE, FRATERNAL ORDER OF EAGLES

CONSTITUTION _____ ARTICLE NO. _____ SECTION _____
STATUTE X SECTION 62.3 (c)

AMEND X NEW ARTICLE/SECTION _____
DELETE X ADDED X

CURRENT LAW (State exactly as is now):

Section 62.3. (c) A Trial Committee member is disqualified on any particular case when a relationship of sibling, parent, child, spouse, former spouse or person living or formerly living in a marriage-like relationship occurs between a member of the Trial Committee and the Accused or Accuser. The Worthy President shall replace such member prior to the trial.

PROPOSED CHANGE (As it will appear in the Constitution and/or Statutes):

Draw a line through words deleted. Underline all added words.

Section 62.3. (c) A Trial Committee member is disqualified on any particular case when a relationship of sibling, parent, child, spouse, former spouse, current or former domestic partner or significant other ~~or person living or formerly living in a marriage-like relationship~~ occurs between a member of the Trial Committee and the Accused or Accuser. The Worthy President shall replace such member prior to the trial.

EXPLANATION AND PURPOSE OF CHANGE:

To make the Statutes more clear.

Date: July 27, 2022

Submitted by Board of Grand Trustees



CHAIRMAN, BOARD OF GRAND TRUSTEES


GRAND SECRETARY

(SEAL)

OFFICIAL FORM

3

PROPOSED AMENDMENT TO CONSTITUTION AND/OR STATUTES
GRAND AERIE, FRATERNAL ORDER OF EAGLES

CONSTITUTION _____ ARTICLE NO. _____ SECTION _____

STATUTE X SECTION 63.1 (a)

AMEND X NEW ARTICLE/SECTION _____

DELETE _____ ADDED X

CURRENT LAW (State exactly as is now):

Section 63.1. (a) Any member in good standing in an Aerie or Auxiliary may file charges against any other member of any Aerie or Auxiliary for an offense committed against the Law of the Order. Charges shall be instituted by the filing of a written Complaint directly with the Secretary of the Aerie to which the Accused is a member. The Aerie Secretary upon receiving the Complaint shall immediately refer the same to the Aerie Worthy President and the Chairman of the Trial Committee. Resignation of a member does not prevent the filing of charges against said member where the offense occurred during the period he/she was a member. The Complaint must be signed and verified under the obligations of the Order by the Accuser and must set forth the facts and circumstances with the date, place and particulars of the occurrence of the alleged offense in concise form and with reasonable certainty. Charges shall be filed against a member within ninety (90) days after the commission of the offense, except that there shall be no time limitation for filing charges for offenses involving fraud perpetrated against an Aerie or Auxiliary as defined in Section 63.2 (f), or within ninety (90) days of the conclusion of any Local, State/Provincial and/or Federal investigations involving an Aerie or Auxiliary and/or the officers or members thereof. In such cases where an Aerie member files charges against an Auxiliary member and vice versa, the expense of the Trial shall be borne equally by the Aerie and Auxiliary.

PROPOSED CHANGE (As it will appear in the Constitution and/or Statutes):

Draw a line through words deleted. Underline all added words.

Section 63.1. (a) Any member in good standing in an Aerie or Auxiliary may file charges against any other member of any Aerie or Auxiliary for an offense committed against the Law of the Order. Charges shall be instituted by the filing of a written Complaint directly with the Secretary of the home Aerie of the accused or, if the violation occurred at an Aerie to which the Accused is a dual member, the complaint may be filed there. The Aerie Secretary upon receiving the Complaint shall immediately refer the same to the Aerie Worthy President and the Chairman of the Trial Committee. Resignation of a member does not prevent the filing of charges against said member where the offense occurred during the period he/she was a member. In the event a Complaint is made against the Worthy President, charges shall be referred to the Worthy Vice-President. If charges are made simultaneously against both the Worthy President and Worthy Vice President, they shall be referred to the next person entitled to preside over the Aerie and the Trial Committee Chairman. The Complaint must be signed and verified under the obligations of the Order by the Accuser and must set forth the facts and circumstances with the date, place and particulars of the occurrence of the alleged offense in concise form and with reasonable certainty. Charges shall be filed against a member within ninety (90) days after the commission of the offense, except that there shall be no time limitation for filing charges for offenses involving fraud perpetrated against an Aerie or Auxiliary as defined in Section 63.2 (f), or within ninety (90) days of the conclusion of any Local, State/Provincial and/or Federal investigations involving an Aerie or Auxiliary and/or the officers or members thereof. In such cases where an Aerie member files charges against an Auxiliary member and vice versa, the expense of the Trial shall be borne equally by the Aerie and Auxiliary.

EXPLANATION AND PURPOSE OF CHANGE:

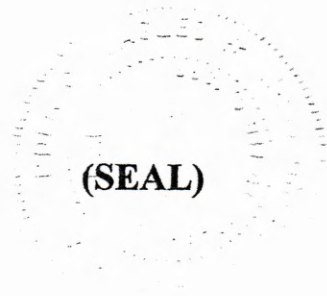
To add direction if charges are filed against the Worthy President and/or Worthy Vice-President at the same time.

Date: July 27, 2022

Submitted by Board of Grand Trustees



CHAIRMAN, BOARD OF GRAND TRUSTEES





GRAND SECRETARY

OFFICIAL FORM

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PROPOSED AMENDMENT TO CONSTITUTION AND/OR STATUTES
GRAND AERIE, FRATERNAL ORDER OF EAGLES

CONSTITUTION _____ ARTICLE NO. _____ SECTION _____

STATUTE X SECTION 63.4 (g)

AMEND X NEW ARTICLE/SECTION _____

DELETE X ADDED _____

CURRENT LAW (State exactly as is now):

Section 63.4. (g) Any member of the Order may be ordered to appear and requested to testify by either party or may be ordered to appear by the Trial Committee by serving the member with a subpoena. All witnesses shall be sworn in before testifying.

PROPOSED CHANGE (As it will appear in the Constitution and/or Statutes):

Draw a line through words deleted. Underline all added words.

Section 63.4. (g) Any member of the Order may be ordered to appear and requested to testify by either party ~~or may be ordered to appear by the Trial Committee~~ by serving the member with a subpoena. All witnesses shall be sworn in before testifying.

EXPLANATION AND PURPOSE OF CHANGE:

The Trial Committee is to judge the charges by the evidence presented by the accuser and accused. They should not be calling witnesses and adding evidence.


Date: July 27, 2022

Submitted by Board of Grand Trustees



(SEAL)

CHAIRMAN, BOARD OF GRAND TRUSTEES


GRAND SECRETARY

(5)

OFFICIAL FORM

**PROPOSED AMENDMENT TO CONSTITUTION AND/OR STATUTES
GRAND AERIE, FRATERNAL ORDER OF EAGLES**

CONSTITUTION _____ ARTICLE NO. _____ SECTION _____
STATUTE X SECTION 89.3 (a) thru (h)

AMEND X NEW ARTICLE/SECTION _____
DELETE X ADDED X

CURRENT LAW (State exactly as is now):

Section 89.3. (a) The Board of Trustees shall enforce all Local Aerie House Rules governing the premises and the conduct of Aerie and Auxiliary members and guests.

(b) Whenever a member violates such House Rules adopted by the Aerie which provide a disciplinary penalty of suspension not to exceed ninety (90) calendar days from buffet and social room privileges and Eagle functions and activities for conduct unbecoming an Eagle at the club premises or Aerie functions at Aerie or other property, the Board may enforce such penalty.

(c) The Aerie or Auxiliary member so disciplined by suspension not to exceed ninety (90) calendar days from buffet and social room privileges and Aerie/Auxiliary social functions and activities for conduct unbecoming an Eagle, must be given a written notice approved by a Board majority and signed by the Board Chairman stating the nature of the conduct and the suspension period.

(d) Such Aerie or Auxiliary member shall within seven (7) calendar days after receipt of the written notice of suspension have the right to request in writing to any member of the Board a hearing before the Board and the Board shall hold a hearing within seven (7) calendar days of such request. Failure of the Board of Trustees to hold a hearing within seven (7) calendar days of the request of the suspended member shall render such suspension null and void. This shall be enforced by the Worthy President and all Aerie Officers. The Board shall deliver notice of their decision orally or in writing to the member at the conclusion of the hearing or in writing by mail within seven (7) calendar days of the hearing.

If the hearing does not resolve the matter, such Aerie or Auxiliary member shall within seven (7) calendar days after receiving the notice of the hearing decision demand in writing that the Board file a written Complaint against the member under Section 63. The Board must file the Complaint with the Worthy President and the Trial Committee Chairman within seven (7) calendar days of the written demand.

(e) The suspension imposed shall remain in effect until the Trial Committee makes a final decision.

(f) The Board shall within seven (7) calendar days after receipt of the written demand file a written Complaint against the Aerie or Auxiliary member directly with the Aerie Worthy President and the Trial Committee Chairman, and a trial upon the same shall be held in accordance with Section 63. Failure of the Board of Trustees to file a written Complaint within seven (7) calendar days shall render the suspension null and void.

(g) A suspension from buffet and social room privileges and Eagle functions and activities shall not otherwise deprive a member, during the period of suspension, of the right to retain or be a candidate for office, to attend meetings and other rights of a dues paying member, under the Laws of the Order, provided that such member shall not, during the suspension, become disorderly or disrupt the Aerie.

(h) The Local Aerie Board of Trustees shall respond to all properly submitted written incident reports within thirty (30) calendar days in compliance with the Statutes of the Fraternal Order of Eagles and notify the complainant of the action taken.

PROPOSED CHANGE (As it will appear in the Constitution and/or Statutes):

Draw a line through words deleted. Underline all added words.

Section 89.3. (a) The Board of Trustees shall enforce all Local Aerie House Rules governing the premises and the conduct of Aerie and Auxiliary members and guests. For violation of the adopted Aerie House Rules, the Trustees, by Board majority vote, may suspend any Aerie or Auxiliary member, for a period not to exceed ninety (90) days, from buffet and social room privileges and the Aerie /Auxiliary social functions and activities.

(b) Whenever a member violates such House Rules adopted by the Aerie, ~~which provide a disciplinary penalty of suspension not to exceed ninety (90) calendar days from buffet and social room privileges and Eagle functions and activities for conduct unbecoming an Eagle at the club premises or at~~ Aerie/Auxiliary functions at the Aerie or Aerie/Auxiliary functions or activities at other property, the Board may enforce such penalty.

(c) The Aerie or Auxiliary member so disciplined by suspension not to exceed ninety (90) calendar days from buffet and social room privileges and Aerie/Auxiliary social functions and activities ~~for conduct unbecoming an Eagle~~, must be given a written notice approved by a Board majority vote and signed by ~~the Board Chairman~~ a member of the Board of Trustees stating the House Rule violated and the nature of the conduct and the suspension period.

(d) Such Aerie or Auxiliary member shall within seven (7) calendar days after receipt of the written notice of suspension, have the right to request in writing to any member of the Board, a hearing before the Board and the Board shall hold a hearing within seven (7) calendar days of such request. Failure of the Board of Trustees to hold a hearing within seven (7) calendar days of the request of the suspended member shall render such suspension null and void. This shall be enforced by the Worthy President and all Aerie Officers. The Board shall deliver notice of their decision orally or in writing to the member at the conclusion of the hearing or in writing by mail within seven (7) calendar days of the hearing. Failure of the Board of Trustees to notify the member(s) of their decision within seven (7) calendar days of the hearing shall render such suspension null and void.

If the hearing does not resolve the matter, such Aerie or Auxiliary member shall within seven (7) calendar days after receiving the ~~notice of the~~ hearing decision, demand in writing that the Board file a written Complaint against the member under Section 63. ~~The Board must file the Complaint with the Worthy President and the Trial Committee Chairman within seven (7) calendar days of the written demand.~~

~~(f)~~ (e) The Board shall within seven (7) calendar days after receipt of the written demand file a written Complaint against the Aerie or Auxiliary member directly with the Aerie Secretary ~~Worthy President and the Trial Committee Chairman~~, and a trial upon the same shall be held in accordance with Section 63. Failure of the Board of Trustees to file a written Complaint within seven (7) calendar days shall render the suspension null and void.

~~(e)~~ (f) The suspension imposed shall remain in effect until the Trial Committee makes a final decision.

(g) A suspension from buffet and social room privileges and Eagle functions and activities shall not otherwise deprive a member, during the period of suspension, of the right to retain or be a candidate for office, to attend meetings and other rights of a dues paying member, under the Laws of the Order, provided that such member shall not, during the suspension, become disorderly or disrupt the Aerie.

(h) Incident Reports must be filed with the Trustees within thirty (30) days from the date of the alleged violation of the House Rules. The Local Aerie Board of Trustees shall respond to all properly submitted written incident reports within thirty (30) calendar days in compliance with the Statutes of the Fraternal Order of Eagles and notify the complainant, in writing, of the action taken.

EXPLANATION AND PURPOSE OF CHANGE:

To clarify the seven (7) day time period for all phases of a Trustees suspension and help clarify this section of the Statutes.

Date: July 27, 2022

Submitted by Board of Grand Trustees

(SEAL)



CHAIRMAN, BOARD OF GRAND TRUSTEES



GRAND SECRETARY

OFFICIAL FORM

PROPOSED AMENDMENT TO CONSTITUTION AND/OR STATUTES
GRAND AERIE, FRATERNAL ORDER OF EAGLES

CONSTITUTION _____ ARTICLE NO. _____ SECTION _____
STATUTE X SECTION 89.11

AMEND X NEW ARTICLE/SECTION _____
DELETE X ADDED X

CURRENT LAW (State exactly as is now):

Section 89.11. The By-Laws of the Local Aerie govern the employment of officers or members of the Aerie, except that no Aerie Trustee, Auditor, or spouse or person living in a marriage-like relationship with a Trustee or Auditor, may be employed by the Local Aerie.

PROPOSED CHANGE (As it will appear in the Constitution and/or Statutes):

Draw a line through words deleted. Underline all added words.

Section 89.11. The By-Laws of the Local Aerie govern the employment of officers or members of the Aerie, except that ~~no the~~ Aerie Trustees, Auditor, sibling, child, parent, ~~or~~ spouse or domestic partner or significant other of ~~person living in a marriage-like relationship with~~ a Trustee or the Auditor, shall not may be employed by the Local Aerie.

EXPLANATION AND PURPOSE OF CHANGE:

To help clarify who is not allowed to be an employee of the Aerie.


Date: July 27, 2022

Submitted by Board of Grand Trustees



(SEAL)

CHAIRMAN, BOARD OF GRAND TRUSTEES



GRAND SECRETARY

7

OFFICIAL FORM

PROPOSED AMENDMENT TO CONSTITUTION AND/OR STATUTES
GRAND AERIE, FRATERNAL ORDER OF EAGLES

CONSTITUTION _____ ARTICLE NO. _____ SECTION _____

STATUTE X SECTION 92.1

AMEND X NEW ARTICLE/SECTION _____

DELETE _____ ADDED X

CURRENT LAW (State exactly as is now):

Section 92.1. If a vacancy occurs in the office of Worthy President, the Worthy Vice-President shall succeed to the office of Worthy President, and the office of Worthy Vice-President shall be declared vacant. If a vacancy occurs in the office of Worthy Vice-President the same shall be filled by election. If a vacancy occurs in the office of Junior Past Worthy President the same shall be filled by appointment by the Worthy President from among the Past Worthy Presidents of the Aerie. If a vacancy occurs in any other elective office, the Aerie shall decide, by a majority vote of those present in regular meeting, the manner in which said vacancy shall be filled.

PROPOSED CHANGE (As it will appear in the Constitution and/or Statutes):

Draw a line through words deleted. Underline all added words.

Section 92.1. If a vacancy occurs in the office of Worthy President, the Worthy Vice-President shall succeed to the office of Worthy President, and the office of Worthy Vice-President shall be declared vacant. **If the Worthy Vice-President refuses to succeed to the office of the Worthy President, he must resign and both offices are then declared vacant and shall be filled by election.** If a vacancy occurs in the office of Worthy Vice-President the same shall be filled by election. If a vacancy occurs in the office of Junior Past Worthy President the same shall be filled by appointment by the Worthy President from among the Past Worthy Presidents of the Aerie. If a vacancy occurs in any other elective office, the Aerie shall decide, by a majority vote of those present in regular meeting, the manner in which said vacancy shall be filled.

EXPLANATION AND PURPOSE OF CHANGE:

To clarify what happens if the Worthy Vice President does not wish to succeed to the office of the Worthy President.

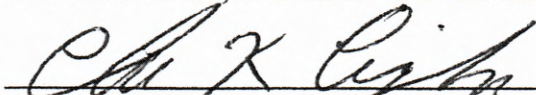
Date: July 27, 2022

Submitted by Board of Grand Trustees



(SEAL)

CHAIRMAN, BOARD OF GRAND TRUSTEES



GRAND SECRETARY