



The American Legion

Department of

Officer Orientation Course

Maryland

Judge Advocate Manual

When using links in this document please remember to right click and select option to open in new window to avoid not being able to return to the presentation when visiting a link or video.



The American Legion Department of
Officer Orientation Course Maryland

Goals and Objectives

- Identify the location of the file on the internet
- Explain the parts of the Manual and its use to assist Post Judge Advocates in performing their duties
- Highlight the 2 Uniform Codes established by the DEC
 - Uniform Code for Discipline of Post members
 - Uniform Code for Post Acquisition, Lease Procedures, and Encumbrance of Post Property
- Dept Bylaws Art XIII, Section 7 & 8

The American Legion Department of Officer Orientation Course Maryland

Judge Advocate Manual

– Location on the internet

- <http://mdlegion.org/Forms/Judge-Advocate-Manual.pdf>

– Major parts of manual

- Role of Judge Advocate
- Constitution and Bylaws
- Parliamentary Procedures
 - Roberts Rules of Order Newly Revised
 - Cheat Sheets for RRONR
 - Rules and Classifications
- Resolution D3808 (Dept IA Mission & Dept Role in Post Issues)
- Resolution of February 19, 1995; Posts must conduct all operation and programs and shall conform to and abide by all local, state and federal laws, codes and ordinances and shall be in compliance with all articles of the Constitutions and By-Laws of THE AMERICAN LEGION and of The American Legion, Department of Maryland, Inc.



Judge Advocate Manual

– Major parts of manual (continued)

- Frequently Asked Questions <https://home.mycloud.com/action/share/ab06daa4-635c-4679-a405-8e3881d285b7>
 - Articles written to assist with areas frequently asked about by Post leaders
- Audits
- Uniform Code for Discipline of Post Members
 - DEC rules to conduct discipline
- Uniform Code for Post Acquisition/Property Disposal/Lease Procedures/Encumbrance of Post Property
 - Procedures for Posts to request DEC approval of any of the subject transactions



Judge Advocate Manual

- **Dept Bylaws Art XIII, Section 7**

- Section 7. In order to maintain order and decorum within the Post facilities, nothing contained herein shall prohibit a Post, with or without a hearing, from suspending a member from the use of the Post facilities for a period not to exceed 90 days, provided however, that the member shall have the right to a hearing before the Post Executive Committee or the Post Membership if the member requests same in writing within ten (10) days after being advised of said suspension and said hearing shall be held within ten (10) days after the Post is so notified.
- Actions under this section have no effect on a members Membership status, and the ember remains in good standing. If the Post wishes to affect the members status they must follow the full rules in the Uniform Code of Discipline
- This is used by Post to remove a member from its business operation facilities
- Member may still attend meetings, vote, and run for office



Judge Advocate Manual

- **Dept Bylaws Art XIII, Section 8**

- Section 8. A Post Officer, after being given 30 days notice of the intended action, may be removed from office for neglect of duty, or conduct unbecoming the office the member holds, by action of two-thirds of the membership of the Post present and voting at a regular meeting and no formal charges shall be necessary to initiate such removal. Provided, however, that such Post Officer shall be entitled to know the reasons for such action and upon his/her request to be heard at a regular meeting in his/her own defense either before or after the action shall have been taken; and if this defense is first heard after the action has been taken, the membership of the Post shall reconsider his/her removal from office.
- This procedure provides due process in the removal of a Post Officer for neglect of duties or conduct unbecoming
- Post have a method to remove an officer that the membership decides is not performing their duties correctly
- This has no effect on the member's membership status. If the Post wishes to affect the members status they must follow the full rules in the Uniform Code of Discipline