



## **CHECKLIST FOR THE TRIAL OF A MEMBER BY A CHAPTER**

*Should you require the use of a Trial by Chapter, it is crucial that The Code of Beta Theta Pi Chapter XIII Discipline is read in its entirety. It is also important to understand the gravity of a Trial by Chapter. This method should only be used as a last resort or when dealing with a serious breach of membership expectations.*

If the trial results in an expulsion, please scan this completed form and submit it via Beta's Online Reporting System at [my.beta.org](http://my.beta.org).

### **PART ONE: THE FORMAL CHARGES**

Chapter Name: \_\_\_\_\_ Chapter Address: \_\_\_\_\_

Greek Designation: \_\_\_\_\_

Accused Name: \_\_\_\_\_ Accused Address: \_\_\_\_\_

Accused Roll No.: \_\_\_\_\_

Date that Charges were Filed with the District Chief or Regional Chief:

\_\_\_\_\_

\*Note you must get approval and counseling from the district chief or regional chief BEFORE submitting charges to the accused.

Date of Call with District or Regional Chief, Executive Board and Those Bringing Charges: \_\_\_\_\_

Brother(s) Bringing the Charge \_\_\_\_\_

The Charges – A description of the alleged act(s) of misconduct specifying the date, location and the specific conduct that is inconsistent with the character of a worthy member of Beta Theta Pi:

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



**PART TWO: NOTICE OF THE TRIAL GIVEN**

Date Set for Trial: \_\_\_\_\_ Time Set: \_\_\_\_\_ Location Set: \_\_\_\_\_

Notice must be provided three days in advance of the trial to the accused.  
The accused was given notice of the charges, time and location of the trial via:

*\*See The Code of Beta Theta Pi Chapter XIII Section 2. Subsection C.*

Check one of the following:

- Email
- Phone Call
- In-person

Date: \_\_\_\_\_

All undergraduate members and chapter advisors and General Fraternity Officers\* were given notice of the trial and the time and place for trial by means of \_\_\_\_\_ on \_\_\_\_\_(date).\*\*

*\*It is strongly suggested that a chapter advisor or General Fraternity Officer attends the trial.*

*\*\*The chapter must have quorum for the trial to occur.*

A copy of the notice was sent to the district chief on \_\_\_\_\_(date).\*

*\*The district chief must review the proposed charges before notification of the trial is sent to the accused – see Part One.*

**PART THREE: THE TRIAL BY CHAPTER**

**Roles**

President Name and Roll Number\*: \_\_\_\_\_

*\*President will serve as chairman of the trial and follows Robert's Rules of Order and all proceedings as outlined therein.*

Kai Committee Members and Roll Numbers\*: \_\_\_\_\_

\_\_\_\_\_

*\*Kai committee members are presenting the charges and act as the prosecution for the trial*

Secretary Name and Roll Number\*: \_\_\_\_\_

Secretary Address: \_\_\_\_\_

*\*It is the secretary's responsibility to take detailed minutes of the trial and file them alongside this checklist with the district chief, regional chief and executive director.*

Date of the Trial: \_\_\_\_\_



# BETA THETA PI

— MEN OF PRINCIPLE —

Important: The Accused and others have the right to present evidence and witnesses and should be given a chance to argue their case during the trial. Ensure that written notes were taken as to the key points each witness made and the Accused points, if any, made thereto. These minutes should be submitted along with this form. It is also recommended that where available an audio recording of the trial be made and kept for review.

Counsel for the Accused: \_\_\_\_\_

*\*The Accused has the right to be represented by an advisor or counselor who shall be a member of the fraternity.*

Is the accused present at the trial? \_\_\_\_\_ Yes (Continue to proceedings)  
\_\_\_\_\_ No (Continue to Guilty Proceedings\*)

*\*if due notice was given, if due notice was not given, a new date for the trial is to be set*

Name any others present in addition to a quorum of undergraduate members:

General Fraternity Officers \_\_\_\_\_

Chapter Advisors \_\_\_\_\_

Any Others \_\_\_\_\_

**The prosecution presents the charges to the accused and asks for their plea to the charges. (Guilty or Not guilty).**

### **Trial by Chapter Proceedings – Not Guilty**

1. The Kai Committee will present charges with explanation as to why a Trial by Chapter was chosen for the accused.
2. The Kai Committee will ask the accused if they plead guilty or not guilty.
3. If the accused pleads not guilty, the chapter will hear evidence presented by the prosecution in an attempt to prove guilt. Testimony of witnesses may be included or called upon.
4. Following the presentation of evidence from the prosecution, the accused will present counter-evidence. Testimony of witnesses may be included or called upon.
5. Once all evidence is presented, the chapter has the opportunity to ask questions of the accused (Q&A).
6. The chapter will move to discussion. The accused has the right to stay in the room or leave.
7. The chapter will hold a preliminary vote to determine if the accused is guilty or not guilty. The accused should be dismissed from the room for the vote.
8. If found **not guilty**, the trial ends and the charges are dismissed. If found **guilty**, proceed to the next step.
9. If requested, the chapter may hold a discussion on the potential sanctions of expulsion or suspension over one year before proceeding to step 10.

*\*If the chapter believes both of these sanctions are unreasonable, the chapter may vote to let the kai committee issue an appropriate sanction and the trial will end.*

10. If found guilty by a simple majority vote (50% + 1), the chapter will hold a vote to expel the member or suspend him for more than one-year. \*



**BETA THETA PI**  
— MEN OF PRINCIPLE —

### **Trial by Chapter Proceedings – Guilty**

1. The Kai Committee will present charges with explanation as to why a Trial by Chapter was chosen for the accused.
2. The Kai Committee will ask the accused if they plead guilty or not guilty.
3. If the accused pleads guilty, he is given the opportunity to speak as to why he does not feel that an expulsion or suspension over one-year is an appropriate sanction. The accused may then also provide evidence to support his claim. Testimony of witnesses may be included or called upon.
4. If requested, the Kai Committee should present evidence to support a finding of guilt such that the evidence justifies expulsion or suspension over one-year. Testimony of witnesses may be included or called upon.
5. The chapter may ask questions of the accused once the presentation of evidence is completed (Q&A).
6. The chapter will then move to discussion. The accused has the right to remain in the room or leave.
7. For voting, the accused will leave the room and the chapter will vote on expulsion or suspension over one-year with a simple majority vote (50% + 1). \*

*\*If the chapter believes both of these sanctions are unreasonable, the chapter may vote to let the kai committee issue an appropriate sanction and the trial will end.*



**PART FOUR: POST-TRIAL PROCEDURE**

The accused was notified of the chapter’s verdict and penalty by (describe means):

---

---

*\*Note that it should be a best practice to always inform the accused in person.*

If the accused was found guilty, then a copy of the minutes were sent to:

- The District Chief (within 10 days)
- The Executive Director (within 10 days)
- The Accused, if convicted

*\*Note that if the accused was present, he must be supplied a copy of the minutes upon request. But, if the accused was not present or not given personal service, then a diligent effort must be made to provide a copy of the minutes to the Accused by all reasonable means.*

We certify that the above information is true and correct and that each of the steps noted above have been taken in an effort to provide the accused substantial justice.

Chapter President \_\_\_\_\_ Date: \_\_\_\_\_

Chapter Secretary \_\_\_\_\_ Date: \_\_\_\_\_

Additional Comments or Notes:

---

---

---

---

---

Notes on Appeals:

RIGHT TO APPEAL: The Accused may appeal either the finding of guilt or the penalty imposed, or both. If the trial was held before a chapter, then the appeal is first to the district chief, then the Board of Trustees, and then to the next General Convention.

HOW TO APPEAL: To appeal, the Accused must send a letter to the district chief, within the time limits herein provided, asking that the chapter’s decision be reviewed and stating the grounds for review. The district chief will direct the appeal to the Board of Trustees.

TIME FOR APPEAL:

(1) Kai Committee decisions: The Accused will have ten days from the date of notice of the committee’s decision to appeal the decision.

(2) All other decisions: The Accused will have 90 days from the date of notice of the decision in which to appeal.

WHEN DECISION FINAL: A decision is considered final once the time for appeal expires or when the appeal process has been exhausted.