

DISCIPLINARY PROCEEDINGS - OFFENSES

Chapter 53 - General Provisions

Sec. 53.1 - Exhaust All Means of Redress - The various tribunals of ~~the Order~~The Moose shall have jurisdiction to try and determine the rights of members under the laws of ~~the Order~~The Moose. No member, lodge or unit ~~of the Order~~ shall apply to any civil court or administrative agency for the enforcement of any right, or determination of any grievance, arising under or by virtue of the laws of ~~the Order~~The Moose.

Complaints against members, officers, ~~or lodges or chapters~~ alleging a violation of any policy of Moose International or provision of these General Laws shall be determined first by the appropriate tribunals of ~~the Order~~The Moose before redress is requested from any court, agency or other authority. The preceding limitation applies to interpretations of the Constitution and General Laws of the Order, and other proceedings that may be appropriately addressed by the tribunals of ~~the Order~~The Moose. This section does not limit the right of members to file civil or criminal proceedings when adequate remedies are unavailable under the laws of ~~the Order~~The Moose. Whenever a question exists, the ~~General Governor~~Chief Compliance Officer shall decide questions concerning the applicability of this section.

No member shall discuss official lodge ~~or chapter~~ business with a non-member unless required by law.

Sec. 53.2 - Refusal to Obey Mandate and Penalty - Whenever the ~~Director General~~Chief Executive Officer, Supreme Governor~~Chairman of the Board of Directors, or General Governor~~Chief Compliance Officer, Grand Chancellor or any other regularly constituted authority of ~~the Supreme Lodge~~The Moose has issued a mandate in accordance with the law upon any lodge, ~~chapter,~~ or other unit ~~of the Order~~ and the lodge, ~~chapter~~ or unit refuses to obey the mandate within thirty (30) days, it shall be deemed guilty of contempt. The authority that issued the mandate may fine a lodge, ~~chapter~~ or unit found in contempt. If the fine is not paid within fifteen (15) days of the date of notice to the lodge, ~~chapter~~ or unit, the charter of the lodge, ~~chapter~~ or unit shall be deemed suspended. Appeal shall be as provided in Chapter 60.

Sec. 53.3 - Burden of Proof - Wherever any conflict exists, or seems to exist, in these laws, the burden of proof in any matter heard before any tribunal of ~~the Order~~The Moose shall be upon the petitioner or accuser, who shall establish ~~his~~their cause by a fair preponderance of the evidence, also known as "by the greater weight of the evidence."

Sec. 53.4 - Terminology - Throughout the chapter on Disciplinary Proceedings, there are many references to ~~the Supreme Lodge~~The Moose, and in each instance, as appropriate, the reference may be considered also to Moose International ~~and/or the Loyal Order of Moose~~.

Sec. 53.5 - Acquiring Membership by Fraud - Any person who shall acquire membership in ~~the Order~~The Moose or in any unit ~~of the Order~~thereof by means of any false statement or misrepresentation shall be deemed guilty of an offense against the laws of ~~the Order~~The Moose and shall, upon conviction, be punished by suspension or expulsion.

Sec. 53.6 - Penalty for Subversive Activities - Any member ~~of this Order~~ who becomes a member of the Communist Party or any other subversive organization, or who either directly or indirectly participates in the activity of said party, or subversive organization, or who advocates the overthrow of a government by force, upon being found guilty thereof, shall be expelled ~~from the Order~~.

Chapter 54 - Relating to Lodges, ~~Chapters~~ and other Fraternal Units

Sec. 54.1 - Suspending or Revoking Charter for Violations - In addition to other causes as stated in these General Laws, a lodge, ~~chapter~~ or other unit of ~~the Order~~The Moose may have its charter suspended or revoked for any of the following causes:

1. Violating any of the provisions of the ritual, laws, rules, regulations or orders of ~~the Supreme Lodge~~The Moose, the by-laws of the lodge, ~~chapter~~ or unit and any lawful order issued by any officer of ~~the Supreme Lodge~~The Moose.
2. Allowing or permitting any conduct that will bring or tend to bring discredit to ~~the Order~~The Moose, or any officer or member thereof, by slander, insinuation or other forms of detraction having a tendency to cause dissension or disharmony.
3. Preferring or permitting any of its members to prefer false charges against ~~the Supreme Lodge~~The Moose or any officer, board, committee, or member ~~of the Order~~thereof, or maliciously making a statement, the purpose or effect of which is to injure ~~the Supreme Lodge~~The Moose, Mooseheart or Moosehaven, or any lodge, ~~chapter~~ or unit thereof, or any related or subsidiary foundation, endowment fund, trust fund or corporation, or any officer or committeeman thereof, or the reputation of any of the above.

4. Any insubordination, contemptuous or unconscionable criticism of a superior authority or permitting such conduct by any member.
5. Directly or indirectly circularizing, displaying, composing, issuing, printing, publishing or otherwise being a party to any resolution, exhibit or other document relative to any of the laws, rituals, statistics, financial or general management of ~~the Supreme Lodge~~The Moose or Mooseheart, or causing or being a party to any publication of any book, pamphlet, or leaflet, circulated or displayed by any committee thereof, or otherwise, and thereby communicating either to other lodges, ~~chapter~~ or units (or committees or members thereof), or strangers, any abuse or criticism of any officer, lodge, committee or member.
6. Permitting any malicious, unjustifiable or abusive statements to be made, published or circulated concerning any officer, member, or committee, or permitting any of its members to do so.
7. Making or using any paraphernalia or lodge ~~or chapter~~ supplies in any way connected or represented as being connected with ~~the Supreme Lodge~~The Moose, or any other lodge, ~~chapter~~ or unit, other than those procured from and by the authority of ~~the Supreme Lodge~~The Moose.
8. Failing to make and transmit every report required by Moose International or the laws of ~~the Supreme Lodge~~The Moose, or as may be requested by any order, rule or regulation adopted by the executive officers thereof.
9. Failure to send, transmit or pay any sum due ~~the Supreme Lodge or~~ Moose International.
10. Instituting, establishing, beginning or maintaining the publication of any magazine, newspaper or other periodical devoted, or represented as being devoted to the interests of ~~the Order~~The Moose, Mooseheart or Moosehaven, or any lodge, ~~chapter~~, unit or any related or subsidiary foundation, endowment fund, trust fund or corporation, or purporting to be a Moose publication in whole or in part, without first securing written permission from the ~~Supreme Council~~Moose International, Inc. Board of Directors.
11. Violating any of the laws or policies of ~~the Order~~The Moose.

Chapter 55 - Relating to Officers and Members

Sec. 55.1 - General Construction - All members ~~of the Order~~ are required to observe the standards of morality prescribed by the ritual, the laws of ~~the Order~~The Moose and the laws of the land. The listing of the particular offenses in these laws or in any law of ~~the Order~~The Moose shall not be construed as a codification of all of the penal laws of ~~the Order~~The Moose. All acts which may reasonably be considered a violation of the rules of good conduct shall be regarded as conduct unbecoming a Moose and punishable by the constituted authorities of ~~the Order~~The Moose.

Sec. 55.2 - Causes for Fining or Removal of an ~~Supreme Lodge~~ Officer, Employee, Representative or Appointee of The Moose - Subject to the provisions of Section 19.2 (c), any officer, employee, official representative or appointee of Moose International or ~~the Supreme Lodge~~The Moose may be removed, fined, suspended or expelled for intentional neglect of official duties or conduct bringing discredit upon ~~the Order~~The Moose. All charges against a Moose International or ~~Supreme Lodge~~ officer, employee, representative or appointee of The Moose shall be filed with the Supreme Forum in accordance with prevailing rules and procedures established by the Supreme Forum and General Laws. Good faith decisions by an ~~Supreme Lodge~~ officer, employee, representative or appointee of The Moose in the course and scope of their employment, assignment or duties, while serving in an official capacity, shall not be grounds for disciplinary charges.

Sec. 55.3 - Reasons for Discharge of Officers or Members - Any member or officer of any lodge, ~~chapter~~ or unit charged under the procedures of Chapter 56, may be fined, removed, suspended or expelled from office or from the lodge, ~~chapter~~ or unit, or from both, for any of the following causes:

1. Dishonest or immoral conduct, habitual drunkenness or any other disreputable act(s) tending to reflect discredit upon ~~the Order~~The Moose.
2. Violation of all or any part of any membership obligation.
3. Intentionally disclosing the name or names of any member or members who opposed or reported adversely upon an application for membership, through which any person not a member may obtain knowledge of such action.
4. Intentionally disclosing to anyone not a member, any business or remarks of a member made during any official business session, unless authorized to do so.
5. Displaying or exhibiting the ritual or paraphernalia of ~~the Order~~The Moose on occasions other than those provided for in the laws and rituals ~~of the Order~~.
6. Using any representation of any emblem that is now or may hereafter be adopted by ~~the Supreme Lodge~~The Moose for advertising purposes for private gain.
7. Refusing to appear as a witness at any hearing before a Commissioner, the ~~General Governor~~Chief Compliance Officer, an Investigating Committee or any ~~Supreme Lodge~~The Moose body authorized to

conduct hearings, if notified to do so, in conformity with the laws and rules of ~~The Moose~~the Supreme Lodge.

8. Conviction of any felony, in which event his/her name shall be stricken from the membership rolls, unless prior to the decision of the Commissioner, a special dispensation has been granted by the ~~General Governor~~Chief Compliance Officer allowing the member to retain his membership.
9. Preferring false charges against any member of either ~~the Supreme Lodge~~The Moose or any lodge, or maliciously making false or untrue statements concerning the character of any member or officer, or interfering with the performance of the duties of any member or officer or representative of any such office.
10. Profane, vulgar, indecent or unbecoming language or conduct in the hall where any lodge ~~or chapter~~ is in session, or about to be in session, or has just closed such session, or in the anteroom, or hallway or entries thereto.
11. Embezzling, misappropriating or misapplying the funds or property of any lodge, ~~chapter~~, committee, unit, activity group or of ~~the Supreme Lodge~~The Moose and/or failing to promptly report and account for all money or property under ~~his~~their possession or control as an officer, committeeman or member.
12. Discrediting or defaming Moose International, ~~the Supreme Lodge~~The Moose, Mooseheart, Moosehaven, any related or subsidiary foundation, endowment fund, trust fund or corporation, lodge, any board or committee or any officer or member by slander or libel.
13. Preferring false charges or maliciously making statements against Moose International, ~~the Supreme Lodge~~The Moose, Mooseheart, Moosehaven, any related or subsidiary foundation, endowment fund, trust fund or corporation, any lodge, board, committee, officer or member.
14. Engaging in an immoral, disreputable, or unlawful occupation.
15. Failure to comply with any orders, rules, regulations or mandates of the ~~Director General~~Chief Executive Officer, ~~Supreme Governor~~, ~~General Governor~~Chief Compliance Officer, ~~Grand Chancellor~~, ~~Supreme Council~~Moose International, Inc. Board of Directors, Supreme Forum, or any other officer or tribunal of ~~the Supreme Lodge~~The Moose having authority to issue such orders or mandates.
16. Any insubordinate, contemptuous or unconscionable criticism of a superior officer or authority.
17. Directly or indirectly circulating, compiling, composing, issuing, printing, publishing or otherwise being a party to any resolution, exhibit or other document relative to the laws, decisions, regulations, ritual, statistics or financial or general management of Moose International, ~~the Supreme Lodge~~The Moose, Mooseheart, Moosehaven, or any branch thereof, or causing or being a party to any publication in any newspaper, book, pamphlet, or leaflet issued or circulated or displayed by any lodge or committee thereof, or otherwise, and thereby communicating either to other lodges, ~~chapters~~ or committees or members, or strangers, or directly or indirectly circularizing, composing, issuing, printing, publishing, or otherwise being a party to any resolution, exhibit, or causing or being a party to any publication in any newspaper, pamphlet or leaflet issued or circulated, or displayed by any lodge, ~~chapter~~, or committee thereof, or otherwise, wherein any abuse or wrongful criticism of any officer, lodge, ~~chapter~~, committee or member thereby may be communicated either to other lodges, ~~chapters~~, committees or members.
18. Advertising directly, or indirectly, any private business or enterprise as being carried on by or under the auspices of ~~the Supreme Lodge~~The Moose, or any lodge, ~~chapter~~ or unit, except by written permission of the ~~General Governor~~Chief Compliance Officer or the ~~Supreme Council~~Moose International, Inc. Board of Directors.
19. Furnishing any information either by statement or otherwise, either directly or indirectly, that conveys any false information regarding any applicant for admission to Mooseheart or Moosehaven.
20. Using an official membership card, or to use or expose any name or emblem of ~~the Order~~The Moose on labels, signs, cards, periodicals or business literature of any kind or character, or in any manner using a relation or connection with ~~the Order~~The Moose for commercial or political purposes, or in any business transaction.
21. Organizing or becoming a member of any society or organization limiting its members to members of ~~the Loyal Order of Moose or Women of the Moose~~The Moose, which is not expressly authorized by the laws of ~~The Moose~~the Supreme Lodge or by dispensation or permission of the ~~General Governor~~Chief Compliance Officer or ~~Supreme Council~~Moose International, Inc. Board of Directors.
22. Instituting, establishing, beginning or maintaining or in any way directly or indirectly being a party to the beginning, establishing or maintaining the publication of any magazine, newspaper or other periodical devoted to or represented as being devoted to the interests of ~~the Supreme Lodge~~The Moose, or any lodge, ~~chapter~~ or unit, or otherwise purporting to be a Moose publication without proper authorization.
23. Violating the provisions of any laws, rules, regulations or orders of ~~the Supreme Lodge~~The Moose, or the by-laws of any lodge, ~~chapter~~ or unit, or any lawful orders issued or promulgated by any of the officers of ~~the Supreme Lodge~~The Moose, or of the officers of any lodge, ~~chapter~~ or unit.
24. Violating any General Law or any lawful policy adopted or approved by the ~~Supreme Council~~Moose International, Inc. Board of Directors.

25. Failure to perform or comply with the duties of the office to which ~~he/she is~~they are elected that could cause the fraternal unit to cease functioning.

Sec. 55.4 - Penalty for Violations - A member found guilty of violating any membership oath, law or duly established policy of ~~the Supreme Lodge~~The Moose shall be reprimanded, fined, suspended or expelled, as determined by the tribunal hearing the matter. If a lodge, ~~chapter~~ or unit or any of its members, refuses or fails to take proper steps to punish a member who has violated a law or policy, charges may be preferred by any lodge member against the offending lodge, ~~chapter~~, unit or member with the ~~General Governor~~Chief Compliance Officer. The ~~General Governor~~Chief Compliance Officer may take action or refer the charges to a Commissioner for trial and judgment. If found guilty, the member may appeal the decision of the ~~General Governor~~Chief Compliance Officer or Commissioner to the Judiciary Committee in accordance with the procedures contained in Chapter 60.

PROCEDURE

Chapter 56 - Filing of Charges Against Members

~~(IMPORTANT NOTE: HOUSE COMMITTEE COMPLAINTS AND PROCEEDINGS ARE GOVERNED BY SECTION 48.9)~~

Sec. 56.1 - Preferring Charges - Any member who has knowledge or information that any member has violated or is violating any law, rule, regulation or order may prefer charges against the member before the proper officer or tribunal.

Sec. 56.2 - Submission of Charges - Any lodge member desiring to prefer disciplinary charges against another lodge member shall submit written charges to the ~~Governor~~President of the lodge of which the accused is a member. ~~Any chapter member desiring to prefer disciplinary charges against another chapter member shall submit written charges to the Senior Regent of the chapter of which the accused is a member.~~

~~A lodge member may not prefer disciplinary charges against a chapter member, and a chapter member may not prefer disciplinary charges against a lodge member, unless the General Governor grants permission. (Important Note: This restriction does not apply to House Committee complaints explained in Section 48.9.)~~ If a member transfers to another lodge ~~or chapter~~ after the alleged offenses occurred, but before the filing of charges, the charges shall be filed with the original lodge ~~or chapter~~.

A member desiring to file disciplinary charges shall use the form provided by the ~~General Governor's~~Chief Compliance Officer's office for that purpose. A member preferring charges shall sign and date the charge(s).

The charges shall state explicitly:

1. The nature and character of the offense.
2. The location of the offense.
3. The date and time of the offense.
4. The law or policy violated.
5. Any other available relevant information to inform the accused of the charges.

Disciplinary proceedings are confidential. The names of the person preferring charges or of the accused shall not be disclosed by the ~~Governor/President, Senior Regent~~ or anyone else, except as necessary to comply with the procedures set out in these General Laws. Pending disciplinary proceedings under this section should not be discussed by lodge ~~or chapter~~ members or officers at a Board of Officers or general membership meeting. The ~~House Committee/Lodge Board of Officers~~ has the duty to enforce decorum during all social functions. The ~~House Committee/Lodge Board of Officers~~ may simultaneously exercise its authority under Section 48.98, notwithstanding that disciplinary proceedings have been instituted regarding a situation occurring during a social function.

Sec. 56.3 - Investigating Committee and Procedures -

- (a) Upon receipt of the charges, the ~~Governor/President or Senior Regent~~ shall immediately deliver a copy of the charges to the ~~General Governor/Chief Compliance Officer~~. Upon direction from the ~~General Governor/Chief Compliance Officer~~, the ~~Governor/President or Senior Regent~~ shall deliver a copy of the charges to a special committee of three (3) Past ~~Governors/Presidents or three (3) Past Regents~~, in order of juniority by service, excluding any officer presently serving on the Board of Officers. The members of the committee must be active members of the lodge ~~or chapter~~. If the lodge ~~or chapter~~ does not have three (3) Past ~~Governors/Lodge Presidents or Past Regents~~ able or willing to serve, the ~~General Governor/Chief Compliance Officer~~ may authorize any qualified active member ~~of the Order~~ to serve on the Investigating Committee. The ~~General Governor/Chief Compliance Officer~~ may excuse a Past ~~Governor/Lodge President or Past Regent~~, otherwise qualified, from service on the committee if the ~~General Governor/Chief Compliance Officer~~ believes, because of personal bias or prejudice, the Past ~~Governor/Lodge President or Past Regent~~ cannot conduct a fair and impartial investigation. The ~~General Governor/Chief Compliance Officer~~ may at his discretion appoint a Commissioner without the requirement of an Investigating Committee.
- (b) This committee, known as the Investigating Committee, shall immediately contact the ~~General Governor/Chief Compliance Officer's~~ office for procedural instructions, prior to their investigation of the charges.
- (c) The Investigating Committee shall review the charges and conduct an impartial and unbiased investigation by interviewing witnesses and reviewing applicable documents.
- (d) The Investigating Committee shall provide the accused with a copy of the charges. During the course of the investigation, the parties shall be given the opportunity to appear before the committee and be heard.
- (e) After completing its investigation, if a majority of the Investigating Committee believes the charges are not well founded, the committee shall immediately report its conclusions to the ~~Governor/President or Senior Regent, as applicable~~. Upon receipt, the ~~Governor/President or Senior Regent~~ shall immediately forward the original charge(s) and report of the committee to the ~~General Governor/Chief Compliance Officer~~ and notify the parties in writing of the committee's decision. A copy of all records sent shall be retained in a confidential file. Upon the request of any interested party, the ~~General Governor/Chief Compliance Officer~~ may consider the charges and the report of the committee and direct the charges to be further processed.
- (f) If a majority of the Investigating Committee believes the charges are well founded, the committee shall immediately file its written report to the ~~Governor/President or Senior Regent~~ who shall attach the report to the written charges.
- (g) The ~~Governor/President or Senior Regent~~, upon receipt of the report of the Investigating Committee stating the charges are well founded, shall immediately file the report and charges with the Lodge Administrator ~~or Chapter Secretary/Treasurer, respectively~~. Within forty-eight (48) hours of receipt of the report and charges, the Administrator ~~or Chapter Secretary/Treasurer, as applicable~~, shall notify the accused of the report of the Investigating Committee. The Administrator ~~or Chapter Secretary/Treasurer~~ shall direct the accused to file a written plea of guilty or not guilty to the charges within ten (10) days. The written plea(s) shall be made a part of the record.

Sec. 56.4 - Restrictions Pending Trial - If the Investigating Committee determines the charge(s) to be well founded or the ~~General Governor/Chief Compliance Officer~~ orders the charge(s) to be further processed, the accused shall continue to enjoy all benefits of membership unless otherwise directed by the ~~General Governor/Chief Compliance Officer~~.

Sec. 56.5 - Mail Charges to ~~General Governor/Chief Compliance Officer~~ - The Administrator ~~or Chapter Secretary/Treasurer~~ shall mail to the ~~General Governor/Chief Compliance Officer~~ all original papers, including the charges and the findings of the Investigating Committee, and the plea of the accused.

Sec. 56.6 - Receipt of Charges by ~~General Governor/Chief Compliance Officer~~ - Upon receipt of charges and report of the Investigating Committee from the Administrator ~~or Chapter Secretary/Treasurer~~, the ~~General Governor/Chief Compliance Officer~~ may dismiss the charge or assign a competent and disinterested member of ~~the Order/The Moose~~ to conduct mediation of all pending disputes in controversy. If the ~~General Governor/Chief Compliance Officer~~ directs mediation to be conducted, the parties shall submit to mediation in accordance with

procedural terms and conditions established by the assigned Mediator. Mediation is a non-binding procedural process designed to avoid the expense, delay and inconvenience associated with Commissioner trials. If mediation is conducted and the parties are unable to resolve all issues, the ~~General Governor~~Chief Compliance Officer shall appoint a Commissioner to conduct a trial.

In lieu of a Commissioner trial, the parties may also agree to binding arbitration. If the parties agree to binding arbitration, the decision of the Arbitrator shall be conclusive and enforceable without benefit of further appeal. Arbitration is different from mediation in that the decision of the Arbitrator is binding versus advisory. Arbitration is also designed to avoid the expense, delay and inconvenience associated with Commissioner trials. A competent and disinterested member of ~~the Order~~The Moose shall arbitrate all pending disputes in controversy in accordance with standard rules of arbitration established by the ~~General Governor~~Chief Compliance Officer and agreed to by the parties.

Chapter 57 - Filing of Charges Against Officers

Sec. 57.1 - Against ~~Governor~~President~~Senior Regent~~ - If charges are preferred against the ~~Governor~~President, they shall be presented to the ~~Junior Governor~~Vice President, who shall perform all the duties of the ~~Governor~~President pertaining to the trial. If charges are preferred against both the ~~Governor~~President and the ~~Junior Governor~~Vice President, the ~~Prelate~~Chaplain shall assume the duties of the ~~Governor~~President in connection with the trial.

~~If charges are preferred against the Senior Regent, they shall be presented to the Junior Regent, who shall perform all the duties of the Senior Regent pertaining to the trial. If charges are filed against the Senior Regent and Junior Regent, the Chaplain shall assume the duties of the Senior Regent in connection with the trial.~~

If charges are preferred against the ~~Governor~~President, ~~Junior Governor~~Vice President and ~~Prelate~~Chaplain, ~~or the Senior Regent, Jr. Regent and Chaplain, respectively,~~ the ~~General Governor~~Chief Compliance Officer shall be notified and assume complete jurisdiction over the entire matter and the affairs of the lodge ~~or chapter~~.

Sec. 57.2 - Against Administrator ~~or Secretary/Treasurer~~ - When charges are preferred against the Administrator, all duties pertaining to the trial as assigned to the Administrator by these laws, shall be performed by the Treasurer. ~~When charges are preferred against the Chapter Secretary/Treasurer, all duties pertaining to the trial as assigned to the Chapter Secretary/Treasurer by these laws, shall be performed by the Recorder.~~

Sec. 57.3 - Suspension from Office - When charges are preferred against an officer and the Investigating Committee has reported the charges well-founded, the ~~General Governor~~Chief Compliance Officer may immediately declare the accused officer suspended from office pending the determination of the charges. The Board of Officers shall immediately designate a qualified active member to perform the duties of the office during the period of suspension in accordance with instructions from the ~~General Governor~~Chief Compliance Officer. The designated member shall take charge of the office and demand and receive from the accused officer all money, books, records, keys and other lodge or chapter property.

If the accused officer is found guilty of any charge and the judgment or decision includes removal from office, the designated member shall continue to perform the duties of the vacated office until a successor is duly elected. If the penalty fixed on the charge is "Removal from Office", the removed officer shall thereafter be ineligible to hold any office except by special dispensation from the ~~General Governor~~Chief Compliance Officer.

Chapter 58 - Commissioner To Conduct Trial Of Accused

Sec. 58.1 - Appointment - When any officer or member ~~of the Order~~ is suspended by the ~~General Governor~~Chief Compliance Officer (or his designated representative), or by any other authorized officer of ~~the Supreme Lodge~~The Moose, the statement upon which the suspension is made shall constitute the charge. Except for proceedings commenced under Section 23.2, the ~~General Governor~~Chief Compliance Officer shall appoint a Commissioner to hear, try and determine the charges without first being referred to an Investigating Committee.

Sec. 58.2 - Notice of Time, Place and Nature of Hearing - Immediately upon receipt of ~~his~~an appointment and a copy of the charges and report of the Investigating Committee from the ~~General Governor~~Chief Compliance Officer, the Commissioner appointed to conduct a trial shall immediately establish the date, time and place for a trial. The Commissioner shall instruct the Administrator ~~or Chapter Secretary/Treasurer~~ to immediately notify the parties of the date, time and location of the trial. The written notice shall be served upon the parties by certified mail, return receipt requested, postmarked not less than ten (10) days prior to the date set for the hearing. The notice shall be sent to the last known addresses of the parties. Depositing the notice with the postal service for mailing with sufficient postage shall constitute completed service under this section.

Sec. 58.3 - Continuances - The Commissioner shall have full authority and power to grant continuances to either party as ~~he~~they deems appropriate.

Sec. 58.4 - Clerk to the Commissioner - The Administrator ~~or Chapter Secretary/Treasurer (as applicable)~~ shall attend the trial and act in the capacity of Clerk for the Commissioner. The Clerk shall be under the orders and jurisdiction of the Commissioner.

Sec. 58.5 - Entering of Plea by Accused - Unless a written plea has already been filed, the Administrator ~~or Chapter Secretary/Treasurer~~ shall first read the charges in full and the accused shall be required to plead "guilty" or "not guilty". If the accused fails or refuses to plead, the Commissioner shall enter a plea of "not guilty" upon the record. A plea of "guilty" or "not guilty" shall be the only plea required of the accused. If the accused shall plead "guilty" to the charges, the Commissioner shall record the plea upon the record and no further proceedings in the hearing of the case will be necessary, except to enter the findings of the Commissioner. All preliminary motions (i.e., the complaint does not allege sufficient facts or the lodge has no jurisdiction over the accused or the subject matter), shall be made at least ten (10) days before the date set for hearing unless otherwise allowed by the Commissioner.

Sec. 58.6 - Hearing on Plea of "Not Guilty" - If the accused shall plead "not guilty" or a plea of "not guilty" is entered on his behalf, the Commissioner shall proceed to hear the testimony and the argument of the parties or their representative.

Sec. 58.7 - Securing of Witnesses - Within ten (10) days of the receipt of a written request from any party to a proceeding, the Administrator ~~or Chapter Secretary/Treasurer shall~~, over ~~his or her~~their signature, issue a subpoena summoning all members of ~~the Order-The Moose~~ desired as witnesses by the accuser(s), the accused or the Commissioner in charge of the trial. The Commissioner shall have the authority to subpoena any member of ~~the Order-The Moose~~ or deny the issuance of a subpoena requested by any party.

The Commissioner shall be furnished a copy of all subpoenas issued and a proposed list of witnesses prior to the trial. The proposed list of witnesses shall not serve as a limitation on either the accuser or the accused from calling additional witnesses up to and including the time for the trial. A subpoena may be personally served by the Administrator ~~or Chapter Secretary/Treasurer~~, or someone appointed by the Administrator ~~or Chapter Secretary/Treasurer~~. The Administrator ~~or Chapter Secretary/Treasurer~~ may also serve a subpoena by mailing a copy of the subpoena to the witness at ~~his or her~~their last known place of residence by certified mail, return receipt requested.

Sec. 58.8 - Administration and Form of Oath - Before any witness is examined or allowed to testify, the Commissioner shall administer the following oath or affirmation:

"Do you solemnly swear (or affirm) upon your honor as a member of ~~the Order~~The Moose, that you will truthfully answer all questions asked of you in this proceeding?"

If the witness is not a member of a lodge ~~or chapter~~, ~~he or she~~they shall be qualified by oath or affirmation as the Commissioner may determine and be examined in the same manner as a member.

Sec. 58.9 - Rules of Evidence - The Commissioner shall receive competent and relevant evidence, including records, documents, affidavits and statements offered by either party which, in ~~his or her~~their opinion, will assist in rendering a fair and impartial decision.

Sec. 58.10 - Reporter and Record of Proceedings - The Commissioner may appoint a competent and disinterested member (or non-member if a member is unavailable) who is a court reporter to make a complete record of the proceedings, including testimony received, objections and rulings regarding the proposed admission of evidence. In lieu of a court reporter, the Commissioner may direct the use of an electronic recording device. All tapes, and other recording materials, shall remain in the custody of the Commissioner. At the close of the trial, all memoranda or notes of the proceedings as the Commissioner may desire, shall be prepared. Unless an appeal is filed, it shall not be necessary for a complete transcript of the proceedings to be prepared. In the event of an appeal, a complete transcript of the proceedings shall be provided to any party requesting a copy upon payment of the cost of transcription and preparation of the record. If there is no appeal, all of the records of the proceedings shall be forwarded by the Commissioner to the ~~General Governor~~Chief Compliance Officer for further disposition.

Sec. 58.11 - Taking of Depositions - The Commissioner shall have the right to order the deposition of any witness who for good cause cannot attend the trial. ~~He~~The Commissioner may appoint a competent and disinterested member to take the deposition. The opposite party shall be notified of the date, time and location of the deposition and the name of the witness or witnesses to be examined. ~~He~~The opposite party shall be entitled, either personally or through ~~his~~a representative, to attend and depose the witness or witnesses. The testimony shall be reduced to writing, certified by the person recording the testimony, securely sealed and immediately filed with the Administrator ~~or Chapter Secretary/Treasurer, as applicable~~. The Commissioner may also receive

into evidence the sworn affidavit of any witness who cannot be present at the trial when, in his-their opinion, the affidavit is relevant and reliable and the reason for not being able to attend is acceptable to the Commissioner.

Sec. 58.12 - Representation - Any lodge member who is a party to a disciplinary proceeding may be represented by an active lodge member. ~~Any chapter member who is a party to a disciplinary proceeding may be represented by an active chapter member.~~ The Board of Officers of any lodge ~~or chapter~~, which stands accused, may select a lodge ~~or chapter~~ member, respectively, to represent it and its members at the trial. If representation is not selected, the ~~General Governor~~Chief Compliance Officer may assign an active member of ~~the Order~~The Moose to appear and represent the lodge ~~or chapter~~ in the trial of the case.

Sec. 58.13 - Contempt - To maintain control over the trial or proceedings and preserve decorum, the Commissioner may declare any participant in the proceeding or trial, including a party's representative, to be in contempt. The Commissioner may enter any reasonable order ~~he-they deems~~ necessary to preserve order and decorum, including the right to levy fines or assess costs. Any order finding a person in contempt may be appealed by the aggrieved party.

Chapter 59 - Commissioner's Findings

Sec. 59.1 - Determination by Commissioner - The Commissioner, after receiving and reviewing all evidence, shall determine the guilt or innocence of the accused as he-they deems just and proper.

Sec. 59.2 - Procedure When Accused Found Innocent - If the Commissioner determines the accused is not guilty, the judgment or decree shall immediately be submitted to the Administrator ~~or Chapter Secretary/Treasurer, as applicable~~. The Administrator ~~or Chapter Secretary/Treasurer~~ shall read the judgment or decree in open session at the next regular meeting after receipt. It shall be noted in the lodge ~~or chapter~~ minutes, ~~as applicable~~, that the accused was found to be not guilty by the Commissioner. A copy of the Commissioner's decision shall be attached to the minutes and be the final judgment, order or decree in the proceeding unless it is reversed or modified on appeal. The Administrator ~~or Chapter Secretary/Treasurer~~ shall immediately transmit a copy of the findings and decision of the Commissioner to all parties, the lodge ~~or chapter~~ and representatives of record.

Sec. 59.3 - Procedure When Judgment of "Guilty" - If the Commissioner determines the accused is guilty of one or more charges, the Commissioner shall determine the appropriate penalty and immediately transmit his-the judgment or decree to the Administrator ~~or Chapter Secretary/Treasurer, as applicable~~. The Administrator ~~or Chapter Secretary/Treasurer~~ shall read the Commissioner's decision in open session at the next regular general membership meeting after receipt and record the decision in the lodge ~~or chapter~~ minutes. A copy of the Commissioner's decision shall be attached to the minutes and be the final judgment, order or decree in the proceeding unless it is reversed or modified on appeal. The ~~Governor-President or Senior Regent~~ shall ensure that the Commissioner's orders and judgment are fully carried out. The Administrator ~~or Chapter Secretary/Treasurer, as applicable~~, shall immediately transmit a copy of the findings and decision of the Commissioner to all parties, the lodge ~~or chapter~~, and representatives of record. Each copy shall be accompanied by notice that an appeal may be taken within fifteen (15) days from receipt of the decision, in accordance with the procedures set forth in Chapter 60.

Sec. 59.4 - Suspension From the Lodge ~~or Chapter~~ - A member found guilty of any charge and receiving a suspension from membership, unless otherwise ordered by the Commissioner, shall automatically be reinstated after the expiration of the period of suspension upon satisfaction of all conditions imposed, the payment of all fines and costs ordered to be paid as a part of the punishment and full payment of all dues for the entire period of suspension. If ordered by the Commissioner, the reinstatement of a member suffering a suspension shall be by a vote as in the case of new members. Any member during a period of suspension shall not be dropped from the rolls for non-payment of dues but shall not enjoy any benefits of membership.

A member who is suspended shall not be eligible for membership in any lodge ~~or chapter, as applicable~~, other than the one from which ~~he or she was~~they were suspended. Any member under suspension shall not be eligible for reinstatement until after the expiration of the period of suspension and full compliance with the Commissioner's decision.

Sec. 59.5 - Expulsion - A member expelled from any lodge, ~~chapter~~ or other unit of ~~the Order~~The Moose shall not be eligible again to become a member of the lodge, ~~chapter~~ or other unit ~~of the Order~~ except in accordance with the terms of the order of expulsion and through the lodge, ~~chapter~~ or unit from which ~~he or she was~~they were expelled. A member expelled from a lodge, ~~chapter~~ or other unit without terms or conditions cannot again become a member of the lodge, ~~chapter~~ or any unit ~~of the Order~~ except upon a dispensation from the ~~General Governor~~Chief Compliance Officer. Any member who resigns ~~his or her~~their membership during a pending disciplinary proceeding may not reinstate or re-enroll into any lodge ~~or chapter~~ unless the ~~General Governor~~Chief Compliance Officer grants a dispensation.

Expulsion from ~~the Order~~The Moose shall constitute expulsion from all lodges, ~~chapters~~ and other units ~~of the Order~~. Expulsion from ~~the Moose Legion or~~ a higher degree shall constitute expulsion from that degree and all degrees higher than the one from which the member was expelled.

Sec. 59.6 - Costs of Trial - All costs incidental to trials shall be paid by the lodge ~~or chapter~~ of which the accused was a member. The Commissioner may order as part of the judgment that the accused and/or accuser(s) shall reimburse the lodge ~~or chapter~~ for all or any part of the costs so incurred.