

NSDTRC (USA) Disciplinary Hearings
PROCEDURAL CHECKLIST

Defendant:	
Address:	
City/State/Zip:	
Date:	

This checklist must be completed by the Committee Chair and initialed and signed. The accused must also sign this document.

This checklist is part of the record of the Hearing, concerning the alleged conduct of a member, and should be submitted with the complete report of the proceedings. The report must be sent so as to be received by the NSDTRC (USA) Secretary within five days of the date of the hearing.

PREHEARING

Complete and Initial

#	Criteria	✓ when completed	Initials
1.	Preliminary Investigation. An investigation of all complaints was made following club policy/procedure and a preliminary determination was made by the Board of Directors whether, if the alleged conduct was proven true, it was prejudicial to the club and/or breed.	<input type="checkbox"/> Yes	
2.	Name and address of the individual making the complaint.		
	Name:		
	Address:		
3.	The complaint is in writing.	<input type="checkbox"/> Yes	
4.	Appropriate fee submitted with the complaint.	<input type="checkbox"/> Yes	
5.	It was determined that a hearing should be held.	<input type="checkbox"/> Yes	
6.	Notice of Hearing. The accused was advised by certified mail on	Date:	
	a. Accused was told he/she was being charged with the following misconduct:	<input type="checkbox"/> Yes	
	b. The hearing will be held _____ at _____ a.m./p.m. on _____(date). (The accused must be given reasonable time to secure witnesses and to prepare. The hearing must be held not less than 3 weeks nor more than 6 weeks after notification)	<input type="checkbox"/> Yes	
	c. The accused was provided with a copy of the complaint.	<input type="checkbox"/> Yes	
	d. The accused was advised whether counsel could be present.	<input type="checkbox"/> Yes	
7.	The President established the committee as follows (include address and telephone number):	<input type="checkbox"/> Yes	
	Chair:		
	Secretary:		

HEARING

Complete and Initial

#	Criteria	✓ when completed	Initials
8.	Introduction. The Chair introduced himself or herself and the members of the Committee and designated one member of the Committee to keep a record of the proceedings.	<input type="checkbox"/> Yes	
9.	Advisal of Charges. The Chair again advised the accused of the specific charges (same as #6A above).	<input type="checkbox"/> Yes	
10.	Advisal of Rights. The Chair advised the accused of these rights:		
	a. To hear, confront and question all witnesses;	<input type="checkbox"/> Yes	
	b. To present witnesses on his/her own behalf;	<input type="checkbox"/> Yes	
	c. To testify on his/her own behalf; and	<input type="checkbox"/> Yes	
	d. Counsel is/is not allowed to be present.	<input type="checkbox"/> Yes	
11.	Witness List. The Chair determined the list of witnesses to be called by the complainant and the accused.		
	Complainant's Witnesses:		
		<input type="checkbox"/> Yes	
	Accused's Witnesses:		
12.	Unauthorized Persons Excused. The Chair excused all persons except the Committee, the accused, and counsel if allowed. The witnesses were excused from the proceedings, except when they were called on individually to testify.	<input type="checkbox"/> Yes	
13.	Witnesses. The Chair called and swore in the witnesses: first, the complainant and those named by the complainant; then, those named by the accused. The Chair ascertained the full name and address of each witness. The Chair questioned the witness and then allowed the accused to question the witness. (An appropriate oath is as follows: "Do you swear or promise that you will tell the truth, the whole truth and nothing but the truth?")	<input type="checkbox"/> Yes	
14.	Accused Statement. After all the witnesses testified, the Chair permitted the accused to make a final statement in response to the charges.	<input type="checkbox"/> Yes	
15.	Close Hearing. The Chair then excused all persons except the committee and asked the accused to remain available to receive the committee's decision.	<input type="checkbox"/> Yes	

POSTHEARING

Complete and Initial

#	Criteria	✓ when completed	Initials
	Findings. After deliberation and by majority vote, the committee made these findings:		
16.	a. As to whether the charged conduct has been proven;	<input type="checkbox"/> Yes	
	b. Whether such conduct was prejudicial to the best interests of the breed or the Club.	<input type="checkbox"/> Yes	
	Decision.		
17.	a. The committee found that both of the elements in charge(s) number _____ were not proven and it dismissed the charge(s).	<input type="checkbox"/> Yes <input type="checkbox"/> No	
	b. The committee found that both elements in charge(s) _____ were proven and determined that the following action be taken:	<input type="checkbox"/> Yes <input type="checkbox"/> No	
	1) Written reprimand.	<input type="checkbox"/> Yes	
	2) Suspension from the club for _____ months.	<input type="checkbox"/> Yes	
	3) Recommendation for expulsion from the club.	<input type="checkbox"/> Yes	
	Notice. After the committee made its decision, the Chair:		
18.	a. Immediately notified the accused of the charges that were dismissed and those that were sustained.	<input type="checkbox"/> Yes	
	b. If charges were sustained, the accused was so advised and notified of the action taken.	<input type="checkbox"/> Yes	
	Reminder.		
	a. Committee must notify the accused, in writing, by certified mail return receipt requested and first-class mail, of the committee's decision.	<input type="checkbox"/> Yes	
19.	b. Send to the club Secretary, within five days, a complete report of the proceedings, which includes: 1) A copy of the signed written complaint 2) A comprehensive summary of the hearing. 3) This Procedural Checklist		
	c. 4) A duplicate copy of the notice of action sent to the accused.	<input type="checkbox"/> Yes	
	c. Secretary sends letter to complainant of outcome.		

Chair Signature _____

Attesting to the fact that all items on this list were completed.

Defendant Signature _____

Attesting to the fact that Items 3, 5, 6, 7, 8, 9, 10, 11 and 16 were completed.