



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

Before a chapter holds a Trial by Chapter, it is crucial [The Code of Beta Theta Pi](#), Chapter XIII 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 complete this form and submit it via My.Beta.org's Online Reporting System.

PART ONE: THE FORMAL CHARGES

Chapter Name: _____

Chapter Address: _____

Greek Designation: _____

Accused Name: _____ Accused Roll No.: _____

Accused Address: _____

Date charges filed with district or regional chief: _____

Obtaining approval and counseling from the district or regional chief is required BEFORE submitting charges to the accused.

Brother(s) bringing the charge: _____

Date of call with district/regional chief, executive board and those bringing charges: _____

Description of the alleged act(s) of misconduct that comprise the charges, specifying the date, location and specific conduct that is inconsistent with the character of a worthy member of Beta Theta Pi:



BETA THETA PI

MEN OF PRINCIPLE

PART TWO: NOTICE OF THE TRIAL GIVEN

Date Set for Trial: _____ Time: _____ Location: _____

The accused was given notice of the charges, time and location of the trial via (check one):

Notice must be provided to the accused at least three days in advance of the trial. See The Code, Chapter XIII, Section 2C.

- Email
- Phone Call
- In-person

Date: _____

All collegiate members, chapter advisors and General Fraternity Officers were given

notice of the trial, its time and place by means of _____ (method) on _____ (date).

A chapter must have quorum for the trial to proceed. The attendance of an advisor or General Fraternity Officer is encouraged.

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: _____

The president serves 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 present the charges and act as the prosecution for the trial.

_____	_____
_____	_____
_____	_____

Secretary Name and Roll Number: _____

The secretary takes minutes and files them alongside this checklist with the district chief, regional chief and chief executive officer.

Secretary Address: _____

Date of the Trial: _____



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's 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 others in attendance in addition to a quorum of collegiate members:

General Fraternity Officers _____

Chapter Advisors _____

Others _____

The prosecution presents the charges and asks for the accused's plea (Guilty or Not Guilty).

Trial by Chapter Proceedings – Not Guilty

1. The Kai Committee presents charges and explains why a Trial by Chapter was chosen.
2. The Kai Committee asks the accused if they plead guilty or not guilty.
3. If the accused pleads not guilty, the chapter hears evidence presented by the prosecution to prove guilt. Testimony of witnesses may be included or called upon.
4. Following the presentation of evidence from the prosecution, the accused presents counterevidence. Testimony of witnesses may be included or called upon.
5. Once all evidence is presented, the chapter can ask questions of the accused (Q&A).
6. The chapter moves to discussion. The accused has the right to stay in the room or leave.
7. The chapter holds 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 charges are dismissed. If 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.
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.*

*If the chapter finds both sanctions unreasonable, it may vote to let the Kai Committee determine an appropriate sanction.



Trial by Chapter Proceedings – Guilty

1. The Kai Committee presents charges and explains why a Trial by Chapter was chosen.
2. The Kai Committee asks the accused if they plead guilty or not guilty.
3. If the accused pleads guilty, he may speak as to why he does not feel that an expulsion or suspension exceeding one year is an appropriate sanction. The accused may then 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 exceeding 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 exceeding one year with a simple majority vote (50% + 1).*

*If the chapter finds both sanctions unreasonable, it may vote to let the Kai Committee determine an appropriate sanction.

PART FOUR: POST-TRIAL PROCEDURE

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

Note: It is 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 chief executive officer (within 10 days)

_____ The accused, if convicted

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 him a copy of the minutes 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

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 10 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.