



Beta Theta Pi – Trial by Chapter

The Code of Beta Theta Pi outlines two procedures when handling chapter discipline, either the informal or formal procedure. The formal procedure is referred to as a Trial by Chapter.

When to have a Trial by Chapter?

Trial by Chapters must be used in cases:

1. Involving the possible expulsion or suspension of the accused member for more than one year.
2. In which the accused member is no longer in school or his whereabouts are unknown.
3. In which the accused member requests to be tried under the formal procedure.

The Code of Beta Theta Pi

Before going into the details of the TBC and the different parts, reading Chapter XI (pages 35 - 42) of [The Code of Beta Theta Pi](#), mentioned above, will provide an in depth explanation of the formal procedure.

Trial by Chapter Checklist

Chapters should utilize the [TBC Checklist](#). It provides chapters step-by-step instructions on how to properly work through the Trial by Chapter process. It should also be submitted with the meeting minutes if the accused member is found guilty (explained later).

- 1. The Formal Charges**
 - a. Basic info for the accused is provided and the charges are explained.
- 2. Notice of the Trial Given**
 - a. [The Notice to the Accused and Returned Service](#) contains all of the necessary information and *must be emailed to the DC before the trial is held.*
 - b. *Note that you must attach a copy of the charges when providing Notice.*
- 3. The Trial before the Chapter**
 - a. Chapter must appoint a prosecutor and the accused is allowed to have counsel, not a lawyer, but a chapter brother to represent him. Find the full rights of the accused in the Code on pages 37-38.
- 4. Balloting by the Chapter**
 - a. Important to answer this question: *Have the charges been proven to the satisfactory of a majority of the members present.* If yes, move forward and decide penalty, if no, the charges would be dismissed and trial is completed. *Note that chapter by-laws may require a super-majority (2/3 or 3/4 of voting members) for a finding if guilt and they would control if the threshold is higher than that required by the Code.
 - i. Examples of penalties
 1. A warning
 2. A written apology to those wronged;
 3. Loss of privileges;
 4. Exclusion from various fraternity activities
 5. Fines
 6. Payment for loss or damage
 7. Removal from Chapter or General Fraternity office
 8. Expulsion from the Fraternity



5. Post-Trial Procedure

a. If found guilty – minutes need to be sent to the District Chief, Administrative Secretary and accused.

b. **Chapter must update the ORS.**

i. Non-Expulsion

City	State	Status	Effective Date	Action
San Dimas	CA	Active	<input type="text"/>	Trial-by-Chapter: Non-Expulsion ▼

Trial-by-Chapter: Non-Expulsion
Use this action if a member was tried using the Trial-by-Chapter procedure and the outcome did NOT result in him being expelled from membership. Enter the date of the trial in the date field above.

Attach Trial-by-Chapter PDF Form
(only one attachment allowed - compress multiple docs into one file) No file chosen

ii. Expulsion

City	State	Status	Effective Date	Action
San Dimas	CA	Active	<input type="text"/>	Trial-by-Chapter: Expulsion ▼

Trial-by-Chapter: Expulsion
Use this action if a member was tried using the Trial-by-Chapter procedure and the outcome DID result in him being expelled from membership. Enter the date of the trial in the date field above. The chapter will be charged reinstatement fees if this action is taken against a member in error. Any error must be reported to the Administrative Office IMMEDIATELY. Reinstatement to membership more than 30 days from today can only be granted by the General Convention or Board of Trustees and will result in a reinstatement fee.

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(only one attachment allowed - compress multiple docs into one file) No file chosen

Actionable items for the Chapter (Recap):

- Make sure the chapter leadership knows and has a copy of the TBC Checklist and the Notice to the Accused. Resources found in the self-governance tab under chapter resources on the [Beta Website](#).
- Review TBC Checklist with President, Vice President (or head of Kai) and advisors.
- Have the chapter compile the TBC Checklist and minutes into one PDF and submit it on the ORS and email advisors, District Chief and Leadership Consultant.
- The online submission goes to the Administrative Secretary.

If there are any questions please contact you Leadership Consultant or send them to Fred Myrtle at fred.myrtle@beta.org.