



Marine Corps League Department of North Carolina



William E. "Bill" Brown

Judge Advocate

03-April-2024

From: William E. Brown,
To: Judge Advocate, Department of North Carolina
Bylaws Committee Chairperson, Department of North Carolina

Subject: Proposed DoNC Bylaws Change Article Two Section 215 Vacancy

In accordance with Article Eight, Section 800, of Department Bylaws (DBL) Amendments, I am submitting the following change for consideration at the 2023 Department of North Carolina Convention.

CURRENT LANGUAGE

SECTION 215 - VACANCY - The order of succession to the office of Commandant shall be Senior Vice Commandant, Junior Vice Commandant, and Judge Advocate. In the event of other vacancies, the Board shall appoint a successor to serve in the position until the next Convention.

PROPOSED LANGUAGE (New or Revised text in RED) Option One

SECTION 215 - VACANCY - The order of succession to the office of Commandant shall be Senior Vice Commandant, Junior Vice Commandant, and Judge Advocate.

- A. In the event of vacancies of the Elected Board of Trustees, the Commandant with the advice and approval of the Consolidated Board of Trustees shall appoint a successor to serve in the position until the next Convention.
- B. In the event of appointed officer vacancies, the Commandant with the advice and approval of the Elected Board of Trustees shall appoint a successor to serve in the position until the next Convention.
 - 1. Causes for Vacancy. In addition to death, resignation, or incapacity;
 - a. An elected officer vacancy should occur through failure to attend two consecutive, officially-called meetings of the Department Board of Trustees.
 - b. An elected or appointed officer vacancy shall occur through removal from office by disciplinary action in accordance with the National Administrative Procedures,
 - c. An elected or appointed officer vacancy shall occur when the offending officer is no longer in good standing.

PROPOSED LANGUAGE (New or Revised text in RED) Option Two

SECTION 215 - VACANCY - The order of succession to the office of Commandant shall be Senior Vice Commandant, and Junior Vice Commandant. Should any other elected or appointed position become vacant, the Commandant will be responsible for finding and appointing a replacement for the vacancy, with assistance and approval of the Department Board of Trustees per NBL 825.

- A. Causes for Vacancy. In addition to death, resignation, or incapacity;



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1. An elected officer vacancy should occur through failure to attend two consecutive, officially-called, meetings of the Department Board of Trustees.
2. An elected or appointed officer vacancy shall occur through removal from office by disciplinary action in accordance with the National Administrative Procedures,
3. An elected or appointed officer vacancy shall occur when the offending officer is no longer in good standing.

RATIONALE: Option One is dependent upon the approval of the 2023 DoNC Bylaws change to add "and all Detachment Commandants" under Section 200 – Composition. Option Two is in the event the change to Section 200 is denied. In both cases, the updated language prescribes that the Commandant is responsible for finding and appointing a replacement for the vacancy, with assistance and approval of the Department Board of Trustees and further defines causes for vacancies as approved at the 2021 National Convention for NBL 825. Both changes remove the Department Judge Advocate from the order of succession to the Department Commandant. This is consistent with National Bylaws and should not require member approval to include in the change.

Respectfully Submitted,

William E. Brown

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Past Commandant

Air, Land NC Detachment #1257

Department of North Carolina

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