

How to File an Ethics Complaint

By Judy Misner

In accordance with the US Chess Code of Ethics you must be a US Chess member.

To file a formal ethics complaint, contact office Liaison, Judy Misner by email (jmisner@uschess.org), phone (931-200-3413), or regular mail to the US Chess office (P. O. Box 775308, Saint Louis, MO 63177). Mark the envelope to the attention of Judy Misner, who is the Committee's liaison in the office. All complaints and responses should be typed. In addition to submitting your complaint you must also mail a \$50 check to US Chess as a good faith deposit. The fee is subject to change as determined by US Chess. The deposit will be returned unless the ruling authority finds the complaint to be frivolous and rules that the deposit is to be forfeited.

There are a number of things you should keep in mind when making a complaint. First, the jurisdiction of the Ethics Committee is governed by two documents: the Code of Ethics and the Executive Board Standards of Conduct. A copy of the Code of Ethics may be found on the US Chess web site. A copy of the Executive Board Standards of Conduct may be found on the website also. In your complaint, you should make specific reference to the section(s) of these documents, which apply, to the violation you claim.

If you decide to make a complaint, you should include with it ALL the evidence you want considered. The Committee will not research web sites (except for the US Chess rating history pages), blogs, social media postings etc. If you want such material considered, it is up to you to copy this material and send it with your complaint. If you want other individuals to provide statements in support of your charges, we prefer that you obtain them. However, the Committee may agree (but is not required) to ask the US Chess office to contact them and ask for the statements. Note that the committee strongly prefers first-person witness testimony. Do not merely report what a witness said or e-mailed to you; ask them for a full written statement in their own words and provide a copy with your complaint.

Once the complaint is received in the US Chess office, the following procedure takes place. First, a copy of the complaint will be sent to every member of the Ethics Committee and they will examine it to determine if it falls within their jurisdiction. If they vote that it does not, you will be notified and that will be the end of the matter. If they vote that it does, the complaint will then be sent to the respondent(s) with a request for a formal response by a given deadline. When that response is received, it will be sent to you and you will have the opportunity to make a rebuttal. Finally, your rebuttal will be sent to the respondent(s) who will get the last word. When all four of these documents (complaint, response, rebuttal, and final statement) have been received at the US Chess office, a packet will be made up and sent to both parties and to every member of the Committee. The Committee will then consider the evidence and take a vote and all parties will be notified of the decision.

If the Committee finds that a violation has occurred, they can recommend sanctions to the Executive Board, including a reprimand, a censure, or even suspension or revocation of US Chess membership. Please note however, that when the respondent(s) is/are a member of the Executive Board, they can

recommend only a reprimand or censure; if they wish to suggest more serious sanctions, these must be referred to the US Chess Delegates for action.

Once the decision letter is provided to the complainant and respondent(s), if sanctions were recommended against the respondent(s), the respondent(s) has/have 30 days from when he/she was notified of the recommended sanctions to submit an appeal of the decision to our Executive Board through the US Chess office. No appeals shall be permitted in cases where the Ethics Committee has found in favor of the respondent(s) and has recommended no sanctions.

If the respondent(s) chooses to submit an appeal it needs to be submitted to: US Chess, Attn: Judy Misner, P.O. Box 775308, Saint Louis, MO 63177 or submit by email to: Executive Director, Carol Meyer at: carol.meyer@uschess.org and Judy Misner at: jmisner@uschess.org.

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